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*William H. Hobbes,*

REPORT

*Chairman*

*National Conference of referees in banking*

THE EXECUTIVE COMMITTEE

OF THE

**National Association of  
Referees in Bankruptcy**

CONCERNING PROPOSED AMENDMENTS

TO THE

BANKRUPTCY ACT OF 1898.

MARCH, 1900.

BUFFALO, N. Y.

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REPORT  
OF  
THE EXECUTIVE COMMITTEE  
OF THE  
NATIONAL ASSOCIATION OF  
REFEREES IN BANKRUPTCY  
CONCERNING PROPOSED AMEND-  
MENTS TO THE  
BANKRUPTCY ACT OF 1898,  
WITH  
APPENDIX,  
CONTAINING TABULATION OF CASES DECIDED UNDER THE LAW, ARRANGED  
BY SECTION, SUBSECTION AND SUBDIVISION.

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MARCH, 1900.

LA 7321.

*TO THE NATIONAL ASSOCIATION OF  
REFEREES IN BANKRUPTCY:*

At a convention of Referees in Bankruptcy, held at Chicago in July last, the undersigned were appointed an Executive Committee to supervise the work of several standing committees, to gather in reports and recommendations, and, in general, to represent the Association until the next convention, in all matters intended to accomplish the objects of the Association. At the same convention, the following officers and standing committees were elected or appointed :

*President:* Charles A. Hawley, Seneca Falls, N. Y.

*Vice-Presidents:* James M. Olmstead, Boston, Mass.; Charles Turner, Salt Lake City, Utah.

*Secretary and Treasurer:* William D. Fullerton, Ottawa, Ill.

*Committee on Orders, Rules and Forms:* Referees Harlow P. Davock, Detroit, Mich.; N. W. Trimble, Birmingham, Ala.; Charles A. Hawley, Seneca Falls, N. Y.

*Committee on Involuntary Bankruptcy:* Referees Peter B. Olney, New York, N. Y.; Joseph Mason, Philadelphia, Pa.; Harold Remington, Cleveland, O.

*Committee on Liens, Preferences and Exemptions:* Referees Shelby Myrick, Savannah, Ga.; Thos. B. Wall, Wichita, Kas.; Wm. D. Stephens, Los Angeles, Cal.

*Committee on Officers:* Referees D. Lloyd Jones, Milwaukee, Wis.; Fred L. Kahle, Franklin, Pa.; Walter D. Coles, St. Louis, Mo.

*Committee on Administration of Estates:* Referees A. Rabb, Indianapolis, Ind.; C. A. Van Wormer, Scranton, Pa.; Hazen R. Sawyer, Keokuk, Ia.

*Committee on Discharges and Offenses:* Referees Roswell R. Moss, Elmira, N. Y.; O. A. Sperry, Washington C. H., O.; W. T. Wickham, Richmond, Va.

Shortly thereafter, we began a investigation of the operation of the Bankruptcy Law, by correspondence with the officers, the standing committees, members of the Association at large, and other persons qualified by experience to give suggestions. Early in the present year, that investigation was extended and systematized by a series of blanks, entitled in the names of the various committees. These blanks, which were sent to every member of the Association, were identical, except in the questions asked. A copy of the blanks, omitting identical matter, follows :

“To..... Esq.,

Referee for.....

Number of cases.....to February 1, 1900.

Please answer the following questions and return this blank, by an early mail, to the undersigned, at 319 Main Street, Buffalo, N. Y. Kindly observe the following

**INSTRUCTIONS.**

- 1, Fill in your name, jurisdiction by county and federal judicial district, and the number of cases which have been referred to you.
- 2, Answer the questions printed in italics, if possible.
- 3, Answer the other questions, if you desire.
- 4, Make your answers brief, and refer, if possible, to reported cases (by name, volume and page) bearing on the point discussed.
- 5, Answer questions by number, without restating them.
- 6, Use the typewriter.
- 7, Mutilage to this sheet any additional sheets which may be necessary, but do not attach the report intended for this committee to any other committee's report.

## BLANK FOR EXECUTIVE COMMITTEE.

## QUESTIONS :

1, *In which courts, State or Federal, should controversies between the trustee and adverse claimants be determined? (Sec. 23.) Frame an amendment which will accomplish what you suggest. Give your reasons.*

2, *Should the corporations which may become involuntary bankrupts (Sec. 4-b) be permitted to file a voluntary petition as well? Why? If so, under what restrictions?*

3, *Should the definition of "insolvency" (Sec. 1-a 15) be modified? If so, how?*

4, *Should the right to file a petition in forma pauperis be abolished (Sec. 51)?*

5, *What changes, if any, should be made in Sec. 5, controlling on partnership bankruptcies?*

6, *What changes would you suggest to the end that a wife may always be a competent witness as to transactions with her husband (Sec. 21); and as to the bankrupt's right to refuse to answer, on the ground that his testimony might tend to incriminate him (Sec. 7-a 9)?*

7, *Have you any suggestions for needed amendments, not covered by questions on this or the other committee blanks? If so, state the same.*

8, *Give ten particulars, referring to section and sub-section, in which the present law has been most conspicuously successful.*

9, *Give ten particulars, referring to section and sub-section, in which the present law most requires amendment.*

## ADMINISTRATION OF ESTATES.

1, *Should Sec. 58, controlling on notices to creditors, be amended? If so, state in what sub-clauses, and why.*

2, *What changes, if any, should be made in Sec. 63, which defines what debts are provable?*

3, *What changes, if any, would you suggest relative to the method of proving and allowing claims? (Sec. 57.)*

4, *Should Sec. 65, controlling on the declaration and payment of dividends, be amended? If so, how?*

5, *Should referees be given a larger discretion as to sales of property, advertising and notifying the creditors of same, etc.? If so, how? Secs. 70-b, 58-a (4), etc.*

6, *What amendments to the sections relating to the administration of estates in bankruptcy would you suggest, in addition to those stated above?*

## OFFICERS.

1, *What, if any, additional powers should be given to the Referee, the Trustee, the Receiver and the Marshal?*

2, *What changes, if any, should be made in the compensation and duties of the Clerk and Trustees? Answer fully and at large, discussing particularly the much needed increase in the compensation of the trustee, and suggest what the compensation should be.*

3, *Should not the compensation of the Receiver and the Appraisers be fixed by the law; and, if so, what should be the amount paid to each?*

4, *Have you any other suggestions relative to the sections of the law pertaining to officers and their compensation? (By resolution of the Convention held at Chicago in July, the Association will make no recommendations as to the compensation of the Referee.)*

## INVOLUNTARY BANKRUPTCY.

1, *Should there be any additional acts of bankruptcy? (Sec. 3-a.) If so, phrase them.*

2, *Should "intent to prefer" or the "effect" of the act (Sec. 60-a) be the chief element of proof when the act of bankruptcy is that defined in Sec. 3-a (2)?*



3, What changes, if any, should be made in the number of creditors who may file petitions (Sec. 59); in the aggregate of their claims (Sec. 59); in the persons or corporations against whom a petition may be filed (Sec. 4-b); or in the amount of debts owing (Sec. 4-b)?

4, *What changes in procedure are desirable, especially —*

- (a) as to service of subpoena on absentee bankrupt;
- (b) as to appearance, answer and jury trials;
- (c) as to filing schedules, notices to creditors and care of property *ad interim*?

### LIENS, PREFERENCES AND EXEMPTIONS.

1, *Which should be retained, Sec. 67-c or Sec. 67-f? And, if the latter, should it apply specifically to voluntary as well as involuntary cases?*

2, Should the four months' period within which liens, etc., are void, be made longer or shorter?

3, *What changes, if any, should be made in Sec. 60-a and b, which defines preferences?*

4, *Suggest any changes which would make the law more uniform as to exemptions? (Sec. 6.)*

5, Have you any other suggestions relative to the sections of the law controlling on liens, preferences and exemptions?

### DISCHARGES AND OFFENSES.

1, *Discuss the advisability of such additional objections to a discharge (Sec. 14-b) as*

- (a) *giving a preference;*
- (b) *obtaining money or credit on fraudulent representations;*
- (c) *previous discharge in bankruptcy within (?) years;*
- (d) *inability to account satisfactorily for losses;*
- (e) *concealing or attempting to conceal property, with intent to defraud creditors;*
- (f) *riotous or extravagant living;*
- (g) *losses due to gambling;*
- (h) *the elimination of "with fraudulent intent to conceal his true financial condition," or "in contemplation of bankruptcy," or both, from the second objection to discharge found in the present Sec. 14-b.*
- (i) *any other additional objections which in your judgment would meet existing criticisms of this portion of the law.*

2, *Suggest any desirable changes in Sec. 17, defining the debts which are not affected by a discharge.*

3, *What changes, if any, should be made in Sec. 29, controlling on offenses and penalties?*

### ORDERS, RULES AND FORMS.

1, *Which of the General Orders should be abolished? And why?*

2, *Which of the General Orders should be amended? And why?*

3, *What new General Orders do you suggest?*

4, *Which of the forms should be abolished? And why?*

5, *Which of the forms should be amended? And how?*

6, *What new forms do you suggest?*

7, *Attach hereto any forms used in your jurisdiction, not provided for in the "Forms of Bankruptcy" prescribed by the Supreme Court.*

These questions were intended to cover all of the sections of the law which have been criticised. We did not, however, intend thereby to indicate that, in our

opinion, a general revision was desirable at this time. It is probably not desirable, even were it possible. An eighteen months' experience with a law operative throughout the nation, and thus affecting not only State statutes but local customs previously controlling on the collection of debts, is hardly a proper test either of the efficacy of the law as a whole or of the value of debatable features. At the same time, it was thought that, from the mass of opinion elicited by the numerous questions, it would be easily possible to determine what changes are generally demanded at this time. This expectation has been realized.

A large number of the referees who are members of the Association have replied to the questions; answers having been received from thirty or more States and Territories, and from referees of all degrees of experience and environment. Indeed, the investigation, besides covering all parts of the country and thus jurisdictions of widely varying importance and diverse local laws and practice, probably reflects the experience of over one-half of the bankruptcy cases referred under the present law. In some instances, categorical answers were given; in others, elaborate essays on the operation of the law were returned. All have been analyzed and abridged by this committee, with the result that it is now possible to formulate some generalizations which should be of value both to the referees and the country.

## I.

### Revision of Orders, Rules and Forms.

There is a wide-spread demand for a revision of the General Orders in Bankruptcy, with the accompanying Forms. They were promulgated in December, 1898, before the law had been in operation six months, and, in the nature of things, are largely copies of similar orders and forms used under the Law of 1867. They do not always agree with the law, or with each other; and, while it has been possible to use most of them as modified and supplemented by district court and referees' rules and forms, a complete and careful revision is demanded both by the bar and by the referees. This, however, should, in our judgment, be postponed until any amendments to the law, which shall approve themselves to Congress, can be enacted. We have received many suggestions looking to changes, most of them admirable, but, for the reason indicated, make no report at this time. When the proper amendments shall be agreed on, we will report further on this branch of the subject.

## II.

### Good Features and Features Criticised.

The unanimity of opinion touching good features and needed amendments is notable. Though from officers widely scattered throughout the country, each affected by local prejudices, and with an experience varying from three cases in small country counties to over one thousand cases in Chicago, the recommendations hereinafter made have been voiced by a majority so emphatic as to leave no doubt in our minds concerning the features of the law which have stood the test of experience and those which should be changed. Thus, two of the questions asked were:

"Give ten particulars, referring to section and subsection, in which the present law has been most conspicuously successful."

"Give ten particulars, referring to section and subsection, in which the present law most requires amendment."

The answers to these questions permit us to submit to your consideration the following results :

The ten features of the law which seemed most to approve themselves to the referees are these :

1, The law (§60-a and b, §67-c, e and f, and §70-e) practically prevents preferences, not merely those of a voluntary nature to wives and relatives, but also those which may be merely suffered for the benefit of friendly local banks and large mercantile houses.

2, The old-time doctrine, which made "intent" the chief and most difficult element of proof where preferences were alleged, has given place to the more rational doctrine of "effect of the act" (§60-a, §67-c (1) ).

3, The referees are numerous and easily accessible (§37 and §34 (2) ).

4, The referees are, in effect, local courts of bankruptcy, their powers, except as to adjudications, discharges and compositions, thanks to wise district rules, being in practice the same as those of the district judges, and, even in the absence of such rules, much more extensive than the powers of the registers under the former law. (See §38 (4) and §39, when read with §2 (15) as interpreted by §1-a (7).)

5, Estates in bankruptcy are administered more cheaply and more quickly than insolvent estates under State laws. (§§40, 48, 55-a, 62 and 65.) Many referees, in fact, most of them, call attention to the qualifying fact that, in going to the extreme of speed and cheapness, efficiency has been sacrificed and a wise discretion eliminated. We later recommend certain changes, which, while recognizing the principle that expenses of administration should be kept small, yet will at least increase efficiency.

6, Creditors control the choice of trustees, as well as all ordinary proceedings in the administration of estates. (§§55-b, c, d, and e, §56 and §58-a.) Here, also, the extreme has been reached, and a reasonable discretion eliminated. But the principle that insolvent estates should be managed by those to whom they belong — the creditors — has been asserted and maintained as never before.

7, Claims are easily and cheaply proven and dividends paid without appreciable expense (§57, §63, §64, §68, §26 and §27). The intervention of an attorney is, in ordinary cases, unnecessary.

8, Composition agreements are in control of a majority in number and amount of the creditors. (§12 and §13.) Neither a single large creditor nor a combination of small creditors can, as a rule, prevent a proper settlement; the latter usually at a pro rata larger than would be paid in case of complete liquidation. This has already resulted in the rehabilitation of many a going business, thus saving valuable good wills and putting an end to the *in terrorem* tactics of, and resultant secret preferences to, single creditors under the State laws.

9, The new definition of insolvency (§1-a (15)), while open to objection in that it necessitates expert testimony, and for that reason criticised by some, is more in accord with American ideas than was the old-time definition, and seems quite generally approved.

10, As a whole, that the law has reduced litigation between debtor and creditor by half, thus, as one referee puts it, "reducing lawyers' and sheriffs' fees into creditors' dividends."

In general, that it has emancipated thousands of men and women from long-standing slavery to their creditors, a slavery which, under State laws, it was not in their power to end, and which was as valueless to the one as it was hopeless to the other.

It should, perhaps, be added that our investigation has been directed toward defects, not good features. For that reason, we shall hereafter confine this report to the former. The opinion of the referees, like that of the country, is that the present law is not only the most humane in our history, but that, as a statute controlling the administration of assets, it is the cheapest, the most workable, and the most equitable.

The ten features of the law most criticised are the following. We enlarge upon them later :

1, That it is now practically impossible to prevent a discharge, short of proving perjury (§14-b and §29-b).

2, That the compensation of trustees is so small as to jeopardize the proper administration of estates (§48).

3, That the law is not uniform (a) in discriminating between natural and artificial persons (§4-a); (b) in discriminating between certain classes of natural persons (§4-b); (c) in giving force to the exemption laws of the various States (§6).

4, That, under existing decisions, it is impossible to determine the proper forum for suits by or against the trustee (§23-a and b, and §2 (7) ).

5, That petitions *in forma pauperis* (§51-a (2) ), in effect, give a debtor the right to proceed as a poor person at his own instance and without the consent of the court, and that this privilege has therefore been much abused.

6, That §67-c and §67-f on liens cannot be reconciled and that there is at present a wide conflict of decision as to whether the latter refers to voluntary bankruptcy, as well as involuntary (compare §1-a (1) ).

7, That the wife of the bankrupt is not a compellable witness in all States (§21-a), and that §7-a (9) is not so phrased as to give a bankrupt the equivalent of his constitutional privilege.

8, That referees have no discretion as to time and manner of giving notices (§58) and concerning sales of property (§47-a (2), §58-a (4), §70-b).

9, That alimony and similar obligations in many jurisdictions have been held dischargeable debts (§17 (2) ).

10, That proceedings in involuntary cases are unnecessarily delayed (a) by making it possible to prevent the joinder of issue until twenty-five days after the creditors have filed their petition (§18-a and b); (b) by giving jurisdiction only after a six weeks' publication, in case the bankrupt absconds (§18-a); (c) by giving the right to demand a jury trial, without provision for the pay of the jury (§19), thus placing in the hands of the bankrupt's attorney the power to delay proceedings almost indefinitely in districts where the court has few stated terms at which the issue can be moved.

### III.

#### Miscellaneous Suggestions.

The Committee is also able, from the multiplicity of answers received, to report to the Association a large number of suggestions. We do not undertake to record all that have come in, nor have we felt that many should be incorporated in the bill which we have drawn. At the same time, that such suggestions may not be entirely lost, we state them here, under the heads of their committees, for consideration by the Association as a body when it shall meet.

#### TO THE COMMITTEE ON OFFICERS.

##### 1. ADDITIONAL POWERS :

a. *Of the Referee*: It is suggested that referees be given the following additional powers : (1) to grant discharges ; (2) to confirm compositions ; (3) to

appoint a marshal or a receiver intermediate the adjudication in bankruptcy and the first meeting of creditors; (4) to hear and determine all suits brought by or against the trustee; (5) to make adjudications when the judge is sick or incapacitated, as well as when he is without the District. Suggestions one and two, however, would be radical additions to the powers of the referee; suggestion three is already met by rules in many districts, giving the referee that power, and can be accomplished by rules as the law now stands; suggestion four would necessitate the creation of a regular court, with a jury and other concomitants; while suggestion five, though of value, would cure a defect of comparatively little importance.

It is also suggested that the referees be given power, (1) to make adjudications in all voluntary cases; (2) to grant temporary restraining orders and order that writs of injunction issue; (3) to punish for contempt; (4) to order sales of all property, whether perishable or not, without notice. There is no valid reason why a referee should not always make adjudications in voluntary cases, especially in cities in which there is a clerk's office, but of which the judge is not a resident. The time lost in sending papers back and forth for the mere formal act of adjudication is sometimes very important. We do not feel, however, that the change is sufficiently essential to warrant us in recommending it at this time. The power to grant restraining orders has been by rule given referees in many districts. That this is possible follows from §38-a (4) and §2 (15) as interpreted by §1-a (7); indeed, it is doubtful whether the Supreme Court could limit such power, as it has attempted to do by General Order XII. (3). The power to punish for contempt would be valuable, though, in effect, it exists to-day, as cases are rare in which the judge has refused to punish for contempt on a proper certification from the referee (§41-b). At the same time, both it and the two additional powers just mentioned should await the adoption of the more necessary amendments suggested later.

b. *Of the Trustee*: It is suggested that the trustees be authorized to take depositions and examine the bankrupt and other witnesses; this, to facilitate examinations, which, owing to the multiplicity of cases in important jurisdictions, are sometimes limited if necessarily conducted by the referee. We think, however, that this detail matter can be postponed until Congress shall order a general revision of the law.

## 2. COMPENSATION OF OFFICERS.

a. *Of the Referee*: By resolution adopted at the Convention held at Chicago, last July, this subject was excluded from our investigation and, therefore, from our recommendations. The members of the Association are, of course, at liberty to express their individual views on this subject to Congress. As a body, however, neither this Committee nor the Association will do so.

b. *Of the Trustee*: Our recommendations on this subject will be found later.

c. *Of the Clerk*: We recommend no change in the compensation of this officer.

d. *Of the Receiver*: Much difficulty has been experienced in fixing the fees of the receiver. He usually serves from two to three weeks. He rarely does more than preserve the estate; yet, the law being silent as to his fees, he at times asks for compensation greater than can be allowed the trustee for months of work in converting the property into money and disbursing it in payment of expenses and dividends. For these reasons, the suggestion has been made that the compensation of the receiver be fixed. At the same time, it is difficult to establish any arbitrary rate, the kind and amount of service varying in every case. Perhaps a per diem would be the fairest method. Even this would prove unfair in some cases. The



matter now rests in a sound discretion, and, though its exercise is annoying to referees and judges, they can be trusted to keep the fees within reason and yet to compensate sufficiently for services rendered, on a per diem basis, perhaps, better than would any rigid rate operative throughout the country.

e. *Of the Appraisers*: Their pay differs materially in different parts of the country. In the Southern District of New York, appraisers whose services are merely nominal are by rule allowed one dollar a day; in other districts, from two dollars to three dollars a day. When experts have been required, allowances of as high as twenty dollars a day have been made. In still other cases, where goodly sums have been paid to appraisers, owing to shrinkages in estates when finally sold, the appraisers' fees have all but exhausted the assets. Under these circumstances, it is the opinion of a large majority of the referees that this matter, troublesome in every phase, be left as it is, to discretion.

### 3. MISCELLANEOUS SUGGESTIONS.

(a) That §44 be amended so that there can be two trustees, instead of one or three; (b) that §44 and §38 be so amended that the referee may, on his taking jurisdiction of the case, appoint a trustee, this trustee at once to go into possession of the property, such appointee, however, to be subject to removal on the vote of the creditors at the first meeting. The first of these suggestions we consider unimportant, though, in rare cases, possibly of value. The second, though it would provide for the custody of property during a period in which the estate is apt to suffer because not in charge of a caretaker, yet, in compelling the creditors, in effect, to turn out of office the choice of the referee would be an innovation which is against principle and would prove awkward in practice. (c) That §70 be amended by reducing the number of appraisers from three to two, or, what is better, by so amending the section that the appointment of appraisers shall always be discretionary. This latter should sometime be done, but we do not consider it of sufficient importance at this time.

## TO THE COMMITTEE ON ADMINISTRATION OF ESTATES.

1, *Notices to Creditors*: Nearly every referee complains of the want of discretion concerning notices to creditors which results from the rigid phrasing of §58. The suggestion is made that this section be amended so that, after the notice of the first meeting, no notice, except of application for discharge, be given to a creditor who does not appear or prove a debt within a limited period, unless otherwise ordered by the judge or referee. The suggestion is also made that notices of examinations (§58 (1)); of proposed sales (§58 (4)); of the declaration and time of payment of dividends (§58 (5)) and of the proposed compromises of controversies (§58 (7)) be always discretionary. No change in practice is urged by the referees with greater unanimity than this. The notices of the first meeting always provide for an examination of the bankrupt. Subsequent examinations are usually at the instance of a single creditor, who wishes to learn about some particular fact. Why should he be put to the annoyance of summoning a hundred or more creditors on a ten-day notice, for this purpose?

The practice on notices of sales seems to differ in every district. Some notices are that "sales will take place;" others, "that sales are proposed;" others, that "proposed sales will take place." Some referees send notice of the proposed sale, that creditors may determine whether a sale shall be ordered, and if it is, follow it up with a notice of sale, thus consuming a month in doing what the trustee, subject to confirmation by the referee, can usually be relied on to do as well as the creditors could, and at once. At times, sales should be ordered immediately. At

other times, even a five days' delay is apt to cause serious loss. In some cases, offers which have been made for property have been withdrawn before the creditors could be brought in on the usual notice, and the property later sold at auction to the same bidder at a much reduced figure. Much the same is true of the notice of the declaration and time of payment of dividends. Some referees give notice that a dividend will be declared, follow it up by a notice that a dividend will be paid, and, after the second meeting only, pay the dividend. Others cut the knot, by calling a meeting for the purpose of declaring and paying dividends and, when there is to be but one dividend, settle the estates, all on one notice and at one time. There is more reason for a notice of the declaration and time of payment of dividends than for the other notices here discussed, especially in cases where, up to that time, the creditors have not been informed whether there will be any assets, and therefore may not have thought it worth while to prove their claims. At the same time, this matter, in our judgment, should be left to the discretion of the referees. Notices of the proposed settlement of a controversy are, we find, rarely given, in spite of the law, and in ninety-nine cases out of a hundred would be sheer nonsense, the creditors merely ratifying what the trustee suggests. Besides, the ten-day delay is sometimes fatal to a compromise, which must often be either accepted or declined at once. Such notices should unquestionably be left to discretion. The trustee is under heavy bonds and the referee is a judicial officer. Either can be reached if he is faithless to his trust.

At the same time, though these suggestions are among those upon which there is the greatest unanimity, the change would be largely for the benefit of the referees, and this Committee considers that the same should stand aside for changes which are more important and of more general value.

2, *Sales*: No section of the law has proven more exasperating to the officers charged with its administration than the section controlling on sales. We have already spoken of the requirement that notice be given. At the same time, General Order XVIII. (2) seems to permit private sales without notice, and, in fact, to make all sales discretionary, though this power may be limited by implication by General Order XVIII. (3). On the other hand, the power of the Supreme Court to prescribe this rule may be doubted in the light of §58-a (4), though §70-b read in connection with §2 (7) and §47-a (2), may have been deemed a limitation on the general rule requiring notices. The whole matter of sales should, in the judgment of this Committee, be left discretionary; or, at least, it should be possible to dispose of personal property at private sale, without notice. At the same time, a broad construction of §70-b as interpreted by General Order XVIII. (2) will probably answer for a time. We, therefore, make no recommendation now.

3, *Proofs of Debt; Payment of Dividends, etc.*: Many suggestions are made touching the manner of proving debts. For instance: (a) It is suggested that all debts remain on file ten days before being allowed; (b) that the time within which they can be filed for allowance be reduced from one year to sixty days; (c) that all objections to claims be presented in writing, duly verified; and (d) that the referee be given the right to vote on all claims duly allowed, which are not represented in person or by attorney before him. Of these suggestions, the first and third can be covered by rules. The second, we do not consider important at this time, and the fourth would confer on the referees a privilege which would not only be against principle, but would prove annoying in practice. It is also suggested (e) that creditors be required to so frame their proofs of debt that the latter will show on their face the items of the account, if any, the respective dates of each item of debit and credit, and, if secured, the date of the delivery of the security, or, if the latter be filed or recorded, the date thereof, all in addition to

the statements now required in proofs of debt, (§57-a and b). This, however, can be easily provided for when the General Orders shall be revised.

It is also suggested (f) that §63, declaring what debts are provable, be amended so as to determine the mooted question of the provability of continuing contracts, like unexpired leases, for employment by the year, etc., and liabilities growing out of the domestic relations, such as accrued alimony, etc. These matters, however, are already quite well settled by the courts. See Appendix, under §63-b.

The suggestions are also made that a wider discretion be given referees as to time and amount in declaring and paying dividends (§65-b), and that the meaning of the word "dividends" as fixing the amount of the commissions paid the referee and the trustee be determined by statute, to clear up the existing confusion; compare *In re Sabine*, 1 N. B. N., 312, and *In re Fort Wayne Elec. Corp.*, 94 Fed., 109, with *In re Barber*, 97 Fed., 547. The first does not seem of sufficient importance to warrant an amendment at this time. The second will be of no importance if commissions are paid on moneys received and paid out, as we hereinafter recommend.

## TO THE COMMITTEE ON INVOLUNTARY BANKRUPTCY.

1, *Additional Acts of Bankruptcy*: The referees are practically unanimous that the acts of bankruptcy be left as they are, with a single change made necessary by our subsequent recommendations touching corporations. Only one suggests that §3-a (3) be dropped out; while another suggests that this subdivision be amended so as to read, "either suffered or permitted, while insolvent, any creditor to obtain a preference through legal proceedings, and not having, at least five days before the date fixed for the sale or final disposition of any property affected by such preference, vacated or discharged such preference." The decisions, however, seem to give this meaning to §3-a (3) already. See Appendix, under §3-a (3).

2, *Procedure*: With scarcely an exception, every referee advises that §59, which fixes the number of creditors who may file a petition, the number of creditors an alleged bankrupt must have, the amount of claims which the petitioning creditors must hold, and the aggregate of the debts which the alleged debtor must owe, be left as it is now.

However, many suggestions have come in relative to procedure in involuntary cases. The more important of these we mention later. The following are less important, and, for that reason, we do not recommend their adoption now: (1) that hearings before the referee be made more formal, and that he may be permitted to summon a jury; (2) that jury trials be discretionary with the judge (§19); (3) that service of subpoenas be made by persons not officers, where neither the marshal nor a deputy marshal is a resident of the county of the bankrupt (§18-a); (4) that an involuntary bankrupt who does not resist the petition be required to file his schedules on the return day of the subpoena, this to save valuable time now lost (§7 (8)); (5) that provision be made for the arrest, fine and commitment of an absconding bankrupt.

## TO THE COMMITTEE ON LIENS, PREFERENCES AND EXEMPTIONS.

1, *Preferences*: The referees seem all but unanimous in believing that §60, controlling on preferences, should be left as it is, especially in that the four months period be neither increased nor decreased. At the same time, various suggestions are made, which, while we either do not approve or consider of sufficient importance to warrant a recommendation at this time, yet are submitted for

future consideration : (1) that the giving of a lien or security for an antecedent debt be a preference ; (2) that the burden of proving insolvency be upon the person preferred ; (3) that the words "being insolvent" be stricken out of §60-a ; (4) that §60-a and b, be merged, and that the intention of the insolvent and the effect of the transfer be the only tests.

A recent decision, *In re Conhaim*, 97 Fed., 923, the doctrine of which has, we understand, been approved by the Circuit Court of Appeals in the Seventh Circuit (see *Columbus Electric Corporation v. Worden*, not yet reported), deserves consideration. It is there held that the word "transfer" used in §60-a, includes any payment of money on a pre-existing debt in the ordinary course of business, thus making such a payment a preference, the result of which is that a creditor who wishes to prove a claim, under §57-g must surrender any payment made in the ordinary course of business since the bankrupt became insolvent. Without discussing the far-reaching effect of this decision, or making any recommendation on it at this time, we submit it for consideration.

2, *Liens* : With a single exception, §67 has been more often construed by the courts than any section under the present law. The contradiction which is claimed to result from a comparison of §67-c with §67-f would be amusing, had it not led to great confusion. For this reason, many referees have suggested that these two sections be merged ; others, that §67-c be dropped out entirely ; others, that §67-f at least be rephrased so that there will be no doubt that it applies to voluntary as well as involuntary cases. The trend of decision, however, at the time of this report, is such that §67-f seems now to be accepted as the controlling clause, and in but few jurisdictions is it now held that it does not apply to voluntary cases. (See numerous cases in the appendix). We, therefore, feel that, while the conflict has been unfortunate, the matter can be left where it is, and hence make no recommendations.

It is also suggested that §67-f be extended, so as to include not merely liens recovered through legal proceedings, but all other liens not for a present valuable consideration. This matter is one which can well await a general revision of the act.

3, *Exemptions* : From all parts of the country are heard protests growing out of §6, which gives force to the widely different exemption laws of every State. This is particularly true of those States which recognize liberal homestead exemptions. The referees have made various suggestions on this subject : That we re-enact the rigid clause of the law of 1867 (§14) ; that we make an upward limit of, say, one thousand dollars homestead, and five hundred dollars personalty, and allow exemptions to that extent only, irrespective of the laws of the States, or that a discharge be refused to a bankrupt who, under the State law, claims more than a certain amount of exemptions. It is also suggested that no exemptions be allowed out of the stock in trade of a bankrupt merchant ; that endowment policies payable to the wife, even though the bankrupt has an interest in them, should be exempt ; etc., etc.

On the general subject, however, we do not feel that we should make any recommendations. The question is so purely one of policy, and one in which local prejudices are so powerful, that we doubt whether any suggestions by the referees in bankruptcy would be either proper or fruitful in results.

At the same time, that the present policy of recognizing State exemptions be not carried too far in collateral matters, we make two recommendations later.

## TO THE COMMITTEE ON DISCHARGES AND OFFENSES.

1, *Objections to a Discharge* : It is unquestioned that the section of the law which has called forth the most criticism is that controlling on discharges. Later, we discuss this matter in detail and make several recommendations. In

this place, however, we call attention merely to some changes which, while urged with vigor by some, do not approve themselves to a majority of the referees or to ourselves. They are as follows: (1) The English Bankruptcy Law makes it an objection to a discharge (Amendatory Act of 1890) if a bankrupt cannot account satisfactorily for losses. In the opinion of the referees, this objection would be too indefinite, would lead to many groundless controversies, would often be successfully urged against an honest debtor, and therefore should not be adopted. (2) Several referees have suggested that the concealing or attempting to conceal property within a definite period of time before bankruptcy be an objection to a discharge. It has been thought unwise to recommend this objection, for the reason that concealing property from a trustee after bankruptcy is an offense under the law and therefore an objection to a discharge, and, under the recognized doctrine that such concealment is continuous, §29-b (1) will be sufficient as it now stands. (3) It is also suggested that the bankrupt be required to pay a certain rate per cent. in dividends. This, as is well known, is the English law, though even such payment is to a certain extent within the discretion of the bankruptcy judges. This country is, however, not ready to authorize the discretion given English bankruptcy judges in the matter of discharges when the estate pays less than 50%, and we are not yet prepared to recommend a return to the percentage and consent plan of our Act of July 27, 1868, as amended in 1874, unless there be a final discretion in the judge which will prevent a repetition of the abuses incident to that plan.

The following objections to a discharge have also been urged: (a) The tearing from the books of account of the bankrupt of a leaf, or an erasure in or mutilation of such books of account, with intent, etc.; (b) the making of a general assignment under State laws; or (c) the failure to keep books of account if a trader doing business of three thousand dollars a year or more (compare §28 (3) a, English Bankruptcy Act of 1883). While these suggestions have merit, yet they are not urged with unanimity, and action thereon can be postponed until a general revision of the law.

It has also been suggested that the law be so amended as to provide that it operate for five years, merely as a suspension of the remedy for the collection of debts, and that then, if the bankrupt has paid a certain percentage on his debts, the suspension be extended for a like period, — an application of the reformatory principle to the rights of creditors. The suggestion is novel, but we do not approve it.

2, *The Dischargability of Debts*: It is suggested that the following additions be made to those debts which are not dischargable in bankruptcy (§17): (1) debts for wages earned within three months, not to exceed three hundred dollars to any individual; (2) debts which have become liens upon the exempt property claimed by the bankrupt; (3) debts on forfeited bail bonds in criminal causes; (4) debts for necessities within six months of the bankruptcy. We make no recommendations on these matters at this time.

It is also suggested that §17-a (3) be amended by the addition of the words "and address" after "name," so that no debt will be discharged unless the creditor's address appears in the petition, the idea being to prevent the discharge of debts without at least the informal and often doubtful notice by mail being sent to the creditor. But in the lapse of years, it often becomes impossible to ascertain the address of creditors, and the evil aimed at — want of effort to find the whereabouts of the creditor — can be cured by more stringent rules, without an amendment to the law.

It is also suggested that §17-a (4) be amended by rephrasing the clause "while acting as an officer," etc., so as to remove existing doubts. This can be left to decision.



Other suggestions, looking to amendments in §17, are spoken of later.

3, *Offenses*: The suggested changes in §29 are the following: (1) that it be an offense to make any false statement or entry in the books of a bankrupt, or to change or forge any entry in such books, provided the latter are used in the course of the bankruptcy proceeding; (2) that it be an offense to knowingly or wilfully resist or assault a trustee while performing his duty; it being asserted that in one or two instances trustees have been physically assaulted while endeavoring to get possession of the property of their estates; (3) that §29-b (1) be rephrased so as to cover a concealment of property antedating the bankruptcy. The two former changes do not seem to be very generally important, and the latter is probably unnecessary on the theory that the concealment is continuous. For these reasons, no recommendations are made on this subject.

## TO THE EXECUTIVE COMMITTEE.

The questions propounded on the blanks for the Executive Committee brought in many important suggestions. Most of them, however, are discussed later in this report. We make no recommendations on any of the suggestions set forth under this heading in this portion of the report, in some cases not approving of the suggestions, in others feeling that it is either unwise or unnecessary at this time.

1, *Definition of Insolvency*: With but few exceptions, the referees approve of the present definition of insolvency (§1 (5)), though some criticise it for reasons like the following: Because, owing to the introduction of expert testimony in determining what is a fair valuation, it often results in mere guesswork; because it leaves the determination of what is a fair valuation to a jury and not to the judge; because the meaning of fair valuation is not explained, as by such a phrase as "measured by prices obtained at public sales." At the same time, the sentiment is so generally in favor of the present definition that, aside from a single change suggested later, we believe this subsection of the law should be left alone.

2, *Partnership Bankruptcies*: Much doubt has been expressed by the courts concerning the meaning of the words "before the final settlement thereof" in §5-a, some authorities holding that so long as there are debts to be paid, whether there are assets or not, a partnership has not been finally settled; and others, the contrary. See Appendix, under §5-a. It seems unreasonable that two or more persons who ceased being partners years before can avail themselves of the bankruptcy law to the extent of getting discharges which would cut off both partnership and individual debts, at the same expense by way of fees, etc., as an individual debtor must pay. At the same time, while the present confusion of decision is unfortunate, the matter is not one of sufficient importance, in the judgment of this Committee, to warrant amendment now.

It is also suggested that §5 be so amended as specifically to authorize, where there are no partnership assets, an individual petition which will result in a discharge operative both on individual and partnership debts. For a like reason, however, we do not make any recommendation. Indeed, it may be that any doubt which has arisen is already settled by the decisions given in the Appendix.

3, *Forum for controversies to which the Trustee is a Party*: On no section of the law are there as many conflicting decisions as §23. The existing confusion is little less than confounding. Because of it, the administration of many an estate is absolutely suspended. An examination of the cases cited in the Appendix will reveal the reason. Some district courts hold that Congress intended by §23 to limit the general terms of §2 (7), and thus relegated practically all controversies

between the trustee and adverse claimant to the State courts. Other district courts hold that, inasmuch as the bankrupt could not successfully maintain an action to set aside a fraudulent transfer made by himself, such suits can be brought in the federal courts. Some courts hold that the suit should be brought in the circuit court; others, in the district court. The decisions of the circuit courts of appeals in the various circuits are equally antagonistic, and the bar and the business interests of the country are utterly at sea.

The reports received from the referees devote more attention to this subject than to any other, and the general opinion seems to be that some recommendation should be made. With scarcely an exception, the belief is that jurisdiction should be vested either in the federal courts exclusively, or in the federal and State courts concurrently. At the same time, we understand that there is at present pending before the Supreme Court a case entitled *Bardes v. The First National Bank of Hawarden* (see 2 N. B. N. Rep., No. 6, Part 2, page 12) which will soon be decided, and which should settle the controversy. Almost without exception, the later decisions favor the federal courts. Should the Supreme Court decide the other way, it may be wise to show the strong reasons which exist for at least concurrent jurisdiction. At this time, however, we do not think this necessary, and therefore make no recommendation.

4, *Pauper Petitions*: No clause in the law has been more abused than that in §51-a (2), which permits a poor person, on the filing of a mere affidavit, to secure the benefits of the bankruptcy system without paying court expenses. One referee, Henry Booth, Esq., of the Middle District of Alabama, to whom two hundred pauper cases have been referred, reports as follows: "It (the pauper petition clause) has induced much perjury in this District. One lawyer has been disbarred because of it, and several others have been led into unprofessional conduct." The opinion is general that this clause should either be eliminated or radically changed. It is possible that the principle, if such it be, might be retained, by so rephrasing the clause as to require the remission of the fees paid, on a proper showing before the referee, or it is possible to retain the principle, by permitting a poor person to go through bankruptcy on showing beforehand to the satisfaction of the judge or the referee that he is in such circumstance as to warrant the charity of the court. At the same time, reports from a very large proportion of the districts show that the evil that has grown out of this clause is fairly under control. Early in the history of the law, in the Northern District of New York, the following rule was adopted:

Rule V. PETITION IN FORMA PAUPERIS. In case a petition is filed by a proposed voluntary bankrupt which is accompanied by an affidavit under subdivision 2 of Section 51 of the act, it shall be the duty of the clerk to file said petition without the payment of the fees provided for by law. If the clerk, or the referee to whom said petition is referred, has reason to believe such affidavit is false, he may file a certificate to that effect and cause the bankrupt to be examined. If, upon such examination, the referee reports in writing that the statements contained in such affidavit are false, and that the bankrupt has or can obtain money with which to pay said fees, such report shall be sufficient proof upon which to base proceedings under subdivision 4 of general order No. XXXV.

The result of this rule is that none but meritorious poor persons can avail themselves of §51-a (2). The mere examination usually leads to a speedy deposit of the fees. In short, this Committee believes that it is not only unwise to meddle with this pauper clause now, but that the matter is one which will yield to rules and a sound discretion, and that it can safely be let alone, at least, for a time.

All other matters referred to on the Executive Committee blank are discussed later and in detail,

## IV.

## Recommendations.

The numerous suggestions made are thus reduced to a few. They may be classified under the heads: 1, Objections to Discharges and Debts not Dischargeable; 2, Compensation of Trustees; 3, The Voluntary Bankruptcy of Corporations; 4, Process, Procedure, etc.; 5, Testimony by the Bankrupt and his Wife; 6, Changes due to §6, on Exemptions.

## 1. OBJECTIONS TO DISCHARGES AND DEBTS NOT DISCHARGEABLE.

The law has been very generally criticised because it contains so few available objections to a discharge. In many quarters, it has been asserted that it is impossible to prevent discharges. The fact is that few discharges have been refused. As a matter of practical experience, attorneys have ceased objecting to discharges unless they can prove false swearing during the pendency of the bankruptcy proceeding (§29-b (2)). There is, therefore, an almost universal demand, not merely from the commercial interests, but also from the referees, that there be several additional objections to a discharge. We have already discussed some of the suggestions made. We now proceed to discuss those which we feel should be recommended, and which, for that reason, have been incorporated in the bill that we have drawn.

a. *A materially false statement in writing, for the purpose of obtaining property on credit:* This was one of the objections to a discharge found in §51-b (3) of the so-called Lindsay bill, introduced in the Senate on March 22, 1897, and also in §13-b (3) of the so-called Henderson bill in the last Congress. In the compromise of June, 1898, this objection was dropped out. We urge that it be restored. It is demanded by the commercial interests of the country, and, had it been in force during the past eighteen months, would have prevented the discharge of some rogues. It seems impossible to improve upon the phrasing of the clause found in the Henderson bill. For that reason, we have adopted it entire, merely remarking in passing that this objection, as is proper, will be of no avail when a commercial report is obtained in the haphazard fashion of a hasty interview. The statement must be in writing, which, of course, implies the signature of the person to be charged thereby. The phrase referred to has been inserted in the bill proposed by this Committee, as follows:

**Sec. 14-b \* \* \* or (3) obtained property on credit, which has not been paid for or restored at the time the petition is filed by or against him, upon a materially false statement in writing made by him to any person for the purpose of obtaining credit or of being communicated to the trade or to the person from whom he obtained such property on credit.**

b. *Making fraudulent preferences:* By referring to the questions asked by the Executive Committee, it will be noticed that the referees were requested to report whether they would favor the *making of a preference* as an objection to a discharge. Very properly, a large proportion declined to approve such a change. A preference may often be innocent and, if so, should not be a bar to a discharge. But where the bankrupt transfers property to a creditor with the intent to give him a preference, or by collusion with such creditor accomplishes the same result, such a bankrupt should, in our judgment, be refused a discharge. The English word is not "fraudulent" but "undue" (Act of 1883, §28 (3) f). At the same time, the creditor should be given opportunity to surrender. Such surrender should, however, be made practically forthwith, and not at the end of a suit. (Compare *In re Baker*, 2 N. B. N. Rep., 195.) In other words, we would make it to the interest

of the bankrupt, who usually has a personal hold upon the preferred creditor, to secure the surrender of preferences without litigation. For these reasons, we have somewhat changed the phrasing found in §13-b (3) of the Henderson bill, first, by making it necessary to prove that the preference is fraudulent, second, by eliminating the clause, "and within six months prior to the filing of the petition against him," as inconsistent with §63-a, which properly sets the limit back to the moment of insolvency, and, third, by adding to the word "surrender" the words "within ten days after demand by a receiver or the trustee." The suggested clause is therefore :

**§14-b, \* \* \* or (4) made a fraudulent preference which has not been surrendered within ten days after demand by a receiver or trustee.**

c. *Making a fraudulent transfer* : A preference cannot exist without insolvency. A transfer may be fraudulent, however, without that element entering in. We, therefore, would go further, and would make any fraudulent transfer a sufficient objection to a discharge. This phrasing is new, but not materially different from that found in §29 of the Law of 1867. In effect, it will probably not be different from §13-b (4) of the Henderson bill. We have omitted from our clause the idea of a possible surrender to the trustee, as of little value, it being improbable that a fraudulent transferee would voluntarily surrender without suit. The clause suggested is therefore :

**§14-b \* \* \* or (5) made a fraudulent transfer of any portion of his property to any person.**

e. *Bankruptcy due to gambling* : Reports come in from different parts of the country that bankrupts, when pressed by their creditors to account for their failures, often assign them to losses due to gambling. The practical impossibility of following property so lost and the frauds which may be covered up by answers like this seem to us to warrant a recommendation that such an excuse be ground for objection to a discharge. There will, of course, be some conflict of decision as to the meaning of gambling, but the courts can be trusted to deny a discharge only to him who does not deserve it. The loss of small sums should not, however, set this clause in operation. The gambling should materially conduce to the failure. The English Act makes this distinction, and we have adopted its phraseology, with, as a matter of safety, the additional word "materially." The clause suggested is, therefore, the following :

**§14-b \* \* \* or (6) materially contributed to or brought on his bankruptcy by gambling.**

f. *A previous discharge in bankruptcy* : The English Act denies a discharge to a bankrupt who has been previously discharged. The Law of 1867, §30, denied it to a voluntary bankrupt, unless his estate would pay seventy per cent., except on consent of three-fourths of his creditors who had proved their claims. There are recorded instances of second discharges to the same individual under the present law already, though usually the second discharge has been asked for merely to cut off creditors who were accidentally omitted from the first schedules. At the same time, it is entirely possible for a debtor to secure a discharge in bankruptcy several times a year, a scandal which should not be permitted. We do not favor either the English doctrine of once for all, nor yet that in force under the Law of 1867, requiring a certain percentage, or the consent of creditors. The present policy being against discretion, the opposite of it, a rigid time limit, seems the best solution. Some referees were for making that limit one year, others for making it ten. As a fair compromise of all the opinions sent in, we have suggested that a second discharge be refused unless the previous discharge was granted more than six years before. The clause is, therefore, the following :

**§14-b, \* \* \* or (7) been granted a discharge in bankruptcy within six years.**

g. *Refusal to obey any lawful order, or to answer any question approved by the court*: This matter will be discussed hereafter, under the head of "Testimony by the Bankrupt and his Wife."

h. *Destruction, etc., of books, with a view to concealing financial condition*: The second objection to a discharge found in the present §14-b has proved of little value. The necessity of proving intent to conceal condition, coupled with the still more difficult element of "contemplation of bankruptcy," which means bankruptcy *per se*, and not mere insolvency, has rendered this objection all but useless. Without enlarging on our reasons more than to refer to the cases in the Appendix, we recommend the elimination of the latter element and the striking out of "fraudulent" as unwise when "intent" must be shown, and "true" as redundant. The amended clause, therefore, with new words indicated by underscore and omitted matter in brackets would be:

**Sec. 14 b, \* \* \* or (2) with [fraudulent] intent to conceal his [true] financial condition, [and in contemplation of bankruptcy] since the passage of this act, destroyed, concealed or failed to keep books of account or records from which such [his true] condition might be ascertained.**

i. *When a bankrupt may apply for a discharge*: There is also an increasing demand that the time after which a bankrupt may apply for his discharge be extended from one month to two. The latter was the period under the law of 1867. It frequently happens now that a bankrupt may apply for his discharge before his creditors have more than begun to examine him in the administration proceeding. The difficulty has been met in some districts by rules providing that no discharges shall be granted until creditors have had reasonable opportunity to complete their examinations under §21 and §7 (9); but there can be little objection to a widening of the bankrupt's period of idleness to two months instead of one. The clause, therefore, would be as follows, the words, "not a corporation," being inserted here to prevent an artificial person securing a discharge, a change which seems merely declaratory of the law:

**§14, DISCHARGES, WHEN GRANTED. a. Any person, not a corporation, may after the expiration of two [one] months and within the next twelve months \* \* \***

#### 1-a. DEBTS NOT DISCHARGABLE.

We recommend two changes in §17, which specify the debts not affected by a discharge; first, that the words, "judgment in actions," found in §17-a (2), give place to the word "liabilities;" and, second, that such words be added that there will be no question that alimony and liabilities of a like class are dischargeable.

As to the first: The word "judgment" is of limited significance. If only judgments are dischargeable, the debt or claim or liability being provable, the bankrupt might successfully restrain the entry of the judgment until the debt was discharged (§11-a) and thus avoid the clear intendment of the law. It is said that the use of the word judgment is due to the uncertainty under the law of 1867 as to whether the word "debt," then used, included "judgment." A word should be used which includes both, or both words should be used with such proviso as will prevent misinterpretation. We recommend that that word be "liability." A debt is surely a liability; so is a judgment; nor, if the latter is grounded in fraud, will the fraud be so drowned in it, under familiar principles, as to exclude it from "liabilities for fraud," etc. See meaning of "liability" in English bankruptcy law (§3 of the Amendatory Act of 1890). This Committee, and, so far as we know, all of the referees who have considered the subject, are unanimously in favor of this change.

As to the second: It is unnecessary more than to refer to the cases in the Appendix, under §17-b, to show the reason for the change. In two or three States, alimony



has been held non-dischargeable under the present law, but only because in such States it had been held something higher than a mere debt. In other States, under what seems a fair construction of §17-a (2) alimony, even installments to accrue, have been held discharged by bankruptcy proceedings, an evil which should be remedied immediately. A like danger seems to exist where the liability is for maintenance or support of a child, or for seduction, and we have so phrased this clause as to include such liabilities. We also considered whether judgments for breach of promise of marriage and for criminal conversation should not be included in this clause, but determined to make no recommendations on those subjects. The clause, therefore, will be found in the following re-draft of the first part of §17-a, new words being indicated by underscore and words omitted by brackets :

**§17. DEBTS NOT AFFECTED BY A DISCHARGE. a. A discharge in bankruptcy shall release a bankrupt from all his provable debts, except such as (1) are due as a tax levied by the United States, the State, county, district or municipality in which he resides, (2) liabilities [judgments in actions] for frauds, or obtaining money by false pretenses or false representations, or for willful and malicious injuries to the person or property of another, or for alimony due or to become due, or for maintenance or support of wife or child, or for seduction of an unmarried female.**

## 2. COMPENSATION OF TRUSTEE.

Quite every report received urged that the compensation of the trustee be increased. Indeed, several referees asserted that unless some change was made, the law, as one controlling on the administration of assets, will prove a failure. In the large commercial centers, the present compensation is considered to be but little short of ridiculous. In more scattered communities, it rarely pays more than day wages for work which usually requires considerable business experience or technical skill. It seems impossible to meet the difficulty by providing that the trustee be paid the same commissions as executors or administrators in his State ; some States do not fix such commissions. The proper solution would seem to be along the line of what follows :

From the mass of comments and suggestions sent in, we deduce the following criticisms of the present system of compensation : (a) that, where there are no assets, the filing fee is too small ; (b) that the percentages allowed are too little, in particular, in small estates ; (c) that commissions are reckoned on dividends only ; and (d) that no extra compensation is possible where it is necessary to manage a going business.

a. Mr. Henry W. Leman, the second vice-president of the Chicago Title & Trust Co., a corporation which probably has had more experience as trustee than any corporation or individual under the present law, has put before us a memorial on this subject, from which we quote :

“By reason of our company making a specialty of these insolvent estates, we have been taking the trusteeships in all estates where we have been selected. In ninety-five per cent of them, there are either no assets whatever, or assets of such nominal value that they will not yield the cost of advertising the same for sale. In all such cases where the compensation is but five dollars a case, we have made a record of the cost to us at which we have transacted such business, and find that, on an average, the expense to us of conducting such business in each estate has been in excess of fifteen dollars. In other words, this company would be willing to negotiate with any reasonable party to do all the work in these cases where there are no assets or only nominal assets, if he will relieve us from the responsibility of doing the same, paying him ten dollars or fifteen dollars in each case, for which we receive but five dollars in each case.”

It is true that it is usually possible to secure a law student or a lawyer just starting in the profession to act as trustee for the five-dollar fee, but, in the nature of

things, he rarely does anything after he has filed his bond and talked the matter over with the bankrupt. His bond often costs him his entire fee, and, even if he finds friends willing to serve as bondsmen, five dollars is poor pay for the time taken and responsibility assumed. There is no incentive to induce him to spend more time in the matter. All "no asset" cases should be thoroughly investigated by the trustee. If his services result in the discovery of property, even if small, he should be properly rewarded. But, in any event, there should be some incentive to begin the investigation. We, therefore, strongly recommend that the deposit fee be doubled and hereafter be ten dollars.

b. The percentages are much too little in small cases. Again, there is no incentive. If, under the prevailing rule, requiring a computation merely on moneys paid as dividends, a trustee by zealous work succeeds in recovering, say, five hundred dollars worth of property at an expense of, say, one hundred dollars, he receives for his pains — frequently days of investigation and splendid service — the munificent sum of twelve dollars, in addition to his five-dollar filing fee. The small cases outnumber the large ten to one. We consider it, therefore, of vital moment to increase the commissions paid trustees in small cases, and to make such commissions large enough to be tempting. For this reason, we recommend that, where the moneys collected by the trustee do not exceed five hundred dollars, his commissions shall be at the rate of ten per cent. For like reasons, we recommend that his commissions on the next one thousand dollars be at the rate of five per cent.; on the next eighty-five hundred dollars — where, under the present law, they would drop from three per cent. to two per cent. after the five-thousand-dollar mark — be at the rate of three per cent. throughout; but that the present rate be retained above ten thousand dollars. Under these rates of commission, the expense of administering bankrupt estates of any size will still be much lower than the expense of administering insolvent estates under the State laws; and the compensation paid in small estates will tempt trustees to do their utmost to find and administer property. These suggested changes are approved by this Committee unanimously.

c. But, more than this, there should be a change in the method of reckoning commissions. It frequently happens that, even in large estates, the expenses of administration, litigated cases, etc., being numerous and scattered, call for or exceed twenty per cent. of the entire estate. In small estates, such expenses reach a much higher percentage. Further, large sums are often paid on priority claims or to secured creditors. The various district courts at present agree that commissions cannot under the present law be reckoned on expenses of administration, but they do not agree as to whether commissions can be reckoned on moneys paid on priority or secured debts. See cases in Appendix under Sec. 48-a. Unquestionably, commissions are earned when priority or secured creditors are paid through the bankruptcy proceeding, just as much as when unsecured creditors are paid. The rule applicable in most of the States seems more reasonable. The principal sum on which commissions are reckoned should be the money for which the trustee has been responsible. If he receives it, he should get half commissions; if he pays it out, he should get the other half. At any rate, the present law should be changed; and our recommendation is that it be changed in accordance with the clause which follows:

We also recommend that this section be so changed as to authorize the payment of not more than one half commissions to trustees where there has been a composition agreement. Frequently, such agreements are entered into before trustees are appointed, but, if they are appointed, they should be paid for their services, and while one half commissions may be in some cases more than fair, in

others, it would be less than just. The clauses suggested are therefore the following, new words being indicated by underscore and omitted words by brackets :

**§48, COMPENSATION OF TRUSTEES. a. Trustees shall receive [as full compensation] for their services, payable after they are rendered, a fee of ten [five] dollars deposited with the clerk at the time the petition is filed in each case, except when a fee is not required from a voluntary bankrupt, and from estates which they have administered, such commissions on all moneys received and paid out by them [sums to be paid as dividends and commissions] as may be allowed by the court, not to exceed ten per centum on the first five hundred dollars or less, five per centum on the next one thousand dollars or part thereof, three per centum on the next eighty-five hundred dollars or part thereof, and one per centum on such moneys [three per centum on the first five thousand dollars or less, two per centum on the second five thousand dollars or part thereof, and one per centum on such sums] in excess of ten thousand dollars.**

**b. In the event of the confirmation of a composition after the qualification of a trustee, the court may allow such trustee not more than one half commissions on the moneys or property received by him.**

d. The law does not seem to contemplate the necessity of continuing a going business or manufacturing plant. This is, of course, possible under the general powers conferred on the judges and referees. The practical difficulty is that, when this is done, only by resort to first principles, entirely outside of the law even if not in derogation of it; can a trustee be adequately paid. (See *In re Plummer*, 2 N. B. N. Rep. 292.) The result is that plants are broken up which should have continued in operation, and stores closed and good wills lost unnecessarily. The Law of 1867 permitted extra allowances in extraordinary cases. A like discretion should be given now, limited, perhaps, to cases where business must be continued. We, therefore, recommend that §2 (5) be so amended as to read as follows, new words being indicated by the underscore :

**§2. \* \* \* To (5) authorize the business of bankrupts to be conducted for limited periods by receivers, the marshals or trustees, if necessary in the best interests of the estates, and allow such officers additional compensation for such services \* \* \***

### 3. VOLUNTARY BANKRUPTCY OF CORPORATIONS.

1. *Additions to §4:* By §4 of the present law, none but natural persons can become voluntary bankrupts. At the time of the passage of the act, there seems to have been a general belief that it would be unwise to permit corporations to seek the refuge of bankruptcy. This was doubtless due to the feeling that the law was in reality intended for the discharge of debtors, rather than the administration of estates. An experience of eighteen months has convinced the commercial community, as it has the referees, that a change should now be made.

Our reasons for recommending this change are, briefly, the following :

(1.) It is one of the general purposes of the bankruptcy law to provide a uniform National law by which insolvent traders can make a pro rata distribution of their assets among creditors, and there is no reason apparent why trading corporations as well as trading copartnerships should not be permitted to avail themselves of this statute.

(2.) In the more important commercial States, small corporations, with their limited liability, have practically superseded partnerships. As the law now stands, short of the commission of an act of bankruptcy, these corporations must wind up their affairs under the procedure of the State which created them, a procedure which is everywhere less favorable to creditors.

(3.) Owing to the lack of comity between the States, a receiver of an insolvent corporation in one State is rarely recognized in another, with the result that the creditors in that other State, by garnishee process or otherwise, may, unless the corporation commits an act of bankruptcy, secure preferences.

(4.) If a corporation seeks to wind up its affairs and distribute its assets by means of a receivership, such a proceeding does not constitute an act of bankruptcy, and, consequently, creditors are entirely deprived of the valuable rights and safeguards provided by the Bankruptcy Law.

(5.) As the law now stands, a corporation which wishes to be administered in bankruptcy is compelled to go through the motions of committing an act of bankruptcy that involuntary bankruptcy may be alleged against it, and it be brought into court apparently against its will. This circumlocution is bad in principle and worse in practice.

Much might be said in elaboration of these points, especially the first, viz: That there is no valid reason why an artificial person in a mercantile business should not have the same rights touching voluntary bankruptcy as has a natural person. It is true that such artificial person does not seek a discharge. But it does seek the distribution of its assets, and it should not, therefore, be driven away from a system, which takes from its directors the choice of the administering officer and give such choice to its creditors, and which reduces fee bills, but increases dividends.

At the same time, there are valid reasons why corporations should be restricted in exercising this right. In the first place, the existing policy of the law should limit the right to those corporations which can be adjudged involuntary bankrupts, while, of course, omitting the aggregate debt limitation of \$1,000 as inconsistent. In the second place, stockholders only, and not directors *per se*, should determine whether a petition should be filed. In the third place, an adjudication in bankruptcy of a corporation should neither lead to its own discharge nor affect the statutory liabilities of its officers and stockholders.

The first limitation goes without saying, at least until Congress shall determine to allow the involuntary bankruptcy of all corporations not essentially public in their nature, with perhaps an exception, suggested by several of the referees in the extreme western States, who call attention to the fact that it is not possible for a mining corporation to be adjudged an involuntary bankrupt. This we consider an omission without design, and, therefore, recommend that addition to the law.

A majority of stockholders in amount should certainly control the transactions of a corporation. Theoretically, they are supposed to do so now. We propose to make it practically possible, when that corporation becomes insolvent and wishes to go through bankruptcy. To meet cases also where the stockholders may be widely scattered, we propose to give an option which will permit the decision of the question by a majority vote, which, of course, includes proxy votes, at a meeting called for that purpose.

It is probably unnecessary to recite the reasons for the other restriction. It is based on public policy, and is expressive of existing decisions.

For the reasons above indicated, therefore, we would rephrase §4 as follows, new matter being indicated by the underscore and omitted word by brackets :

**Sec. 4. WHO MAY BECOME BANKRUPTS. a. Any natural person and any unincorporated company owing [who owes] debts [except a corporation], shall be entitled to the benefits of this Act as a voluntary bankrupt.**

**b. Any corporation engaged principally in manufacturing, trading, printing, publishing, mining, or mercantile pursuits, shall be entitled to the benefits of this Act as a voluntary bankrupt, on petition of an officer or stockholder of such corporation, duly authorized either by the vote of a majority in amount of the stockholders present at a meeting of stockholders called for that purpose, or the written consent of stockholders holding at least one-half the stock of such corporation.**

**c. Any natural person, except a wage-earner or a person engaged chiefly in farming or the tillage of the soil, any unincorporated company, and any corporation engaged principally in manufacturing, trading, printing, publishing, mining, or mercantile pursuits, owing debts to the amount of one thousand dollars or over,**

may be adjudged an involuntary bankrupt upon default or an impartial trial, and shall be subject to the provisions and entitled to the benefits of this act. Private bankers, but not national banks or banks incorporated under State or Territorial laws, may be adjudged involuntary bankrupts.

**d. The bankruptcy of a corporation shall not release its officers, directors or stockholders, as such, from any liability under the laws of a State or Territory, or of the United States.**

We have not thought it wise, at this time, to urge the elimination of the present discrimination in favor of wage-earners and farmers.

2, *Receiverships as acts of bankruptcy*: The reasons already stated also suggest that §3-a (4) should be changed so that when an insolvent corporation seeks to administer its affairs in the State courts, other than by a general assignment, that such action on its part shall be deemed an act of bankruptcy. This question has been broached under the present law, and is not yet determined. It has, however, been held flatly in two cases that an application by an insolvent corporation for a receiver under the State law is not the equivalent of a general assignment, though it was intimated in one of them that such a transaction is possibly an act of bankruptcy under a broad and liberal construction of §3-a (1). (Compare *In re Empire Metallic Bedstead Co.*, 98 Fed. 981, s. c. below, 95 Fed. 957; also *In re Baker-Ricketson Co.*, 97 Fed. 489; and both with *In re Gutwillig*, 92 Fed. 337.) There should be no doubt on this subject.

Unless the law is changed, owing to the larger fees paid court officers and the larger allowances made attorneys under the State system of administering insolvent corporations, and, therefore, the growing unpopularity of the bankruptcy law with such classes, to say nothing of the increasing aversion to the bankruptcy system by all debtors who have aught to conceal, or prefer a friendly liquidation to one controlled by their creditors, there will be a general scurrying of partnerships and individuals into corporations, that thereby they may have immunity from investigation by creditors and shelter themselves behind the often too lax clauses of State corporation laws. For these reasons, we suggest that §3-a (4) be amended so as to read as follows, new words being indicated by underscore :

**§3. ACTS OF BANKRUPTCY. a. Acts of bankruptcy by a person shall consist of his having \* \* \* or (4) made a general assignment for the benefit of his creditors, or, if a corporation, applied for or been put in charge of a receiver or trustee, under the laws of a State or Territory, or of the United States, on the ground of insolvency.**

#### 4. PROCESS, PROCEDURE, ETC.

Much valuable time has been lost in involuntary cases by what seem the too liberal time limits fixed by §18-a. The writ of subpoena need not now be returnable until fifteen days after it is issued, and the alleged bankrupt then has ten days in which to answer. In practice, this means from twenty to twenty-five days lost at the outset. If the bankrupt appears and does not answer, an adjudication in bankruptcy follows at, say, the end of twenty-five days. Then, the bankrupt has ten days in which to file schedules (§7 (8)), and then all creditors must be given ten days notice of the first meeting. Thus, not until practically six weeks have elapsed, even where there is no contest, is there any person authorized to administer the estate and not until one month has passed, as a rule, is it possible—short of becoming liable to the severe penalties of the bond required by §69, or risking a doubling of fees by the appointment of an officer specified in §2 (3)—to take possession of the property of a bankrupt.

Many suggestions aimed at these difficulties have been made. Of these suggestions, those which seem most valuable are the following: (1) That, instead of allowing the bankrupt ten days extra to answer after he has appeared, that he appear and answer at the same time. (2) That, instead of putting an upward limit

of fifteen days on the service of a subpoena that the limit be ten days. This change, coupled with that just mentioned, would, in default cases, reduce this interregnum of idleness by half. (3) That §18-a, last sentence, be changed so as to more definitely indicate the method of service on an absconding bankrupt, and to cut down the time of publication from six weeks to two weeks.

It seems to us unnecessary to enlarge further on the reasons for these changes. We, therefore, recommend that §18-a and b, be amended so as to read as follows, new matter being underscored and matter omitted in brackets :

**§18. PROCESS, PLEADINGS AND ADJUDICATIONS. a. Upon the filing of a petition for involuntary bankruptcy, service thereof, with a writ of subpoena, shall be made upon the person therein named as defendant in the same manner that service of such process is now had upon the commencement of a suit in equity in the courts of the United States, except that it shall be returnable within ten [fifteen] days, unless the judge shall for cause fix a longer time ; but in case personal service cannot be made, then notice shall be given by publication in the same manner and for the same time as provided by law for notice by publication in suits to enforce a legal or equitable lien [in equity] in courts of the United States, except that, unless the judge shall otherwise direct, the order shall be published not more than once a week for two consecutive weeks, and the return day shall be not more than twenty days after the first publication.**

**b. The bankrupt or any creditor, may appear and plead to the petition on or before [within ten days after] the return day, or within such further time as the court may allow.**

#### 5. TESTIMONY BY THE BANKRUPT OR HIS WIFE.

Two criticisms have come in from all parts of the country : (1) that, in those States where the wife is not a competent witness as to transactions with her husband, the creditors are greatly hindered in, if not entirely deprived of, their remedy, in case the bankrupt has fraudulently transferred property to her ; (2) that there is an epidemic of constitutional privilege spreading over the country, in the form of refusals by bankrupts to testify, on the ground that their answers will tend to incriminate them. Of these evils, the latter is, of course, the greater, and the remedy the more puzzling.

1. As to the former, good morals as well as sound policy would seem to make the wife a compellable witness, as to all business transactions at least. She is no longer a *femme covert*, in the old sense ; such communications should no longer be privileged. If, however, §21-a is left as it is, in many States property will be put beyond the reach of creditors, and the chief witness to the transaction be allowed to laugh in their faces, while blandly asserting her privilege. (See *In re Fowler*, 93 Fed. 417 ; *In re Jefferson*, 3 Am. B. R. 174 ; *In re Mayer*, 3 Am. B. R. 222.) With one or two exceptions, every referee who has reported on this subject favors a change in §21, which will make the wife a compellable witness as to transactions with her husband. The judges and referees can be trusted to keep her examination within proper bounds. We, therefore, recommend that §21-a be so amended as to read as follows, new matter being indicated by underscore, matter omitted, by brackets :

**§21. EVIDENCE. a. A court of bankruptcy may, upon application of any officer bankrupt or creditor, by order require any designated person, including the bankrupt and his wife [who is a competent witness under the laws of the State in which the proceedings are pending] to appear \* \* \*, etc.**

2. It needs no argument to show that if a bankrupt can rest on his constitutional privilege and decline to answer questions, he being both judge and jury as to whether such questions are proper, §7 (9) is a mere nullity. (See *In re Sapiro*, 1 Am. B. R. 296 ; *In re Scott*, 95 Fed. 815 ; *In re Rosser*, 96 Fed. 305.) It is the dishonest bankrupt concerning whose transactions creditors are the most inquisitive, and such a bankrupt will not be loath to assert his privilege, even without reason. This has happened already, and the decisions seem to be uniform that,

under the doctrine laid down in *Councilman v. Hitchcock*, 142 U. S., 547, the protection given the bankrupt by the last clause of §7 (9) is not the equivalent of his constitutional privilege, and that, for that reason, he may decline to answer. See cases in Appendix under Sec. 7 (9).

Two ways have been suggested of reaching this difficulty: First, that the law be amended by the insertion of a clause similar to that which was inserted in the Interstate Commerce Act in 1893, giving the bankrupt absolute immunity from punishment for any of the matters or things concerning which he gives testimony, which clause has been held constitutional, though by a court almost equally divided, in *Brown v. Walker*, 161 U. S., 591. This Committee has given the subject most careful consideration, but, in view of the doubtful constitutionality of a federal statute which purports to prevent punishments under a State law, as well as the doubtful expediency of giving the bankrupt pardon in advance for crimes which he may have committed, as well as wrongs he may have done creditors, we have determined not to recommend the insertion of an amnesty clause in the bankrupt law.

There may be some question touching the constitutionality of the remedy which we suggest, viz: that a bankrupt who refuses to answer any question approved by the court, shall, on the application of any creditor, be denied his discharge; but whether the debtor be a voluntary or an involuntary bankrupt, when he applies for his discharge he is asking the exercise of a power of the highest and most far-reaching kind, not merely the enjoyment of a right or privilege inherent in him under the constitution. He is in equity, and must be just. If he says to the court: "Put up the bars against my creditors that they may not harass me," he should also be forced to tell to those creditors any facts concerning his transactions, in particular, those facts involving his own fraud or wrong doing. He may, it is true, be asked to testify to facts which, if proven against him by other witnesses in a criminal proceeding, might lead to his conviction. But he has his choice. If he knows he is a criminal, he will decline to testify and thereby escape punishment but lose his discharge. If he has nothing to fear, he will testify, and receive it. At least, the present habit of hiding behind the privilege will end. For these reasons, we earnestly recommend an amendment which will make his refusal to answer any question approved by the court an objection to a discharge.

Similar reasons have led us to recommend that a discharge be refused to any bankrupt who has refused to obey any order of the court. This clause is new, but we consider it valuable; contempt proceedings are rare and the punishment light. We, therefore, recommend that the eighth objection to a discharge be phrased as follows:

**Sec. 14-b \* \* \* or (8), in the course of his proceeding refused to obey any lawful order of, or to answer any question approved by, the court.**

## 6. CHANGES DUE TO §6, ON EXEMPTIONS.

This Committee has already given its reasons for making no recommendations concerning §6, controlling on exemptions. At the same time, out of that section have grown two evils which should be struck at by amendments: (1.) The definition of "insolvency" is being abused in certain States where homestead exemption are large. Thus, in a State which allows a homestead exemption of, say, seven thousand dollars, and where the bankrupt is worth, say, three thousand dollars in addition to his homestead, when an involuntary petition, alleging that he owes debts amounting to five thousand dollars, is filed against him, he will escape an adjudication by proving that his property is worth, at a fair valuation, ten thousand dollars, whereas seven thousand of it is exempt, and but three thousand dollars is available for the payment of his debts. This is a manifest wrong on creditors that



needs no further comment. We, therefore, recommend that §1-a (15) be amended so as to read as follows, new matter being underscored :

**§1-a. \* \* \* (15) a person shall be deemed insolvent within the provisions of this Act whenever the aggregate of his property, exclusive of any property which he may have conveyed, transferred, concealed or removed, or permitted to be concealed or removed, with intent to defraud, hinder or delay his creditors, or which is exempt under the laws of the United States or of the State or Territory in which the proceedings in bankruptcy were begun, shall not at a fair valuation, be sufficient in amount to pay his debts ; \* \* \***

It has been held in one or two of the districts that a bankrupt may claim his homestead and, if the same is encumbered by taxes, insist that the taxes be paid out of the estate. (See *In re Tilden*, 1 Am. B. R. 300 ; *In re Baker*, 1 Am. B. R. 526.) While this evil is not one of great importance, yet we consider it sufficiently so to recommend a change that will end it. The bankrupt should take his homestead charged with any liens thereon, especially with tax liens. For that reason we suggest that the first part of §64-a be amended so as to read as follows :

**§64. DEBTS WHICH HAVE PRIORITY. a. The court shall order the trustee to pay all taxes legally due and owing by the bankrupt to the United States, State, county, district or municipality, except such taxes as are a lien on a homestead claimed by or set off to him as exempt, in advance of the payment of dividends to creditors.**

We have gone into this matter thus in detail for reasons already indicated. For the further reason, also, that, in the nature of things, the referees in bankruptcy are more experienced in the administration of the bankruptcy law than any other class of citizens, as, from their day-by-day relations with creditors, they are better informed concerning the wishes of the business community. Alone of all the civilized, and even most semi-civilized, nations of the world, this nation has for the past two decades been without a bankruptcy law. In that period, we have greatly grown in commercial importance, and our business, which thirty years ago was largely local or limited to great cities and the States in which they were, has now become inter-state ; in other words, national. With the increase of business has come an increased necessity of a national statute, regulating not merely the discharge of debtors — that is the lesser need — but, more, the administration of insolvent estates. The object of the Association, as we take it, is, therefore, to formulate from time to time, reports which will call attention to those sections of the law that need amendment, to the end that ultimately this country of ours may have a permanent bankruptcy statute, which is scientifically constructed and fairly representative of the differing yet allied interests of the debtor and the creditor.

Dated, Buffalo, N. Y., March 21, 1900.

WILLIAM H. HOTCHKISS,  
(No. Dist. of New York.)  
SIDNEY C. EASTMAN,  
(No. Dist. of Illinois.)  
CHARLES E. CLAPP,  
(Dist. of Nebraska.)  
D. L. GRAYSON, .  
(E. Dist. of Tennessee.)  
WILLIAM R. BLAIR,  
(W. Dist. of Pennsylvania.)  
THOMAS T. CRITTENDEN,  
(W. Dist. of Missouri.)  
N. W. LITTLEFIELD,  
(District of Rhode Island.)  
*Executive Committee.*



# APPENDIX.

## TABLE OF CASES \*

REPORTED UNDER THE BANKRUPTCY LAW OF 1898 TO MARCH 15, 1900,  
ARRANGED BY SECTION, SUBSECTION AND SUBDIVISION

BY

ROYAL A. GUNNISON, Esq., *Referee in Bankruptcy*,  
AT BINGHAMTON, N. Y.

### EXPLANATION OF ABBREVIATIONS.

N. B. N.: National Bankruptcy News, including National Bankruptcy News and Reports.  
Am. B. R.: American Bankruptcy Reports.  
Fed.: Federal Reporter.  
C. C. A. 7: Circuit Court of Appeals, Seventh Circuit.  
J. O. N. D. N. Y.: District Court Judges Opinion, Northern District of New York.  
R. O. W. D. Mo.: District Court Referee's Opinion, Western District of Missouri.

## CHAPTER 1.

### Definitions.

#### SEC. 1

##### Subd. a

##### Cl. 1

In re Richards, 2 N. B. N. 38, C. C. A. 7; s. c. 3 Am. B. R. 145; 96 Fed. 935.  
In re Vaughn, 2 N. B. N. 101, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 362; 97 Fed. 500.  
In re Higgins, 2 N. B. N. 115, J. O. D. Ky.; s. c. 97 Fed. 775.  
In re Waxelbaum, 2 N. B. N. 228, J. O. S. D. N. Y.  
In re Spacht, 2 N. B. N. 228, R. O. W. D. Pa.  
Peck Lumber Manufacturing Co. vs. Mitchell, 1 Am. B. R. 701, C. C. P. Pa.  
In re Richards, 2 Am. B. R. 518, J. O. W. D. Wis.  
In re Geister, 3 Am. B. R. 228, J. O. N. D. Ia.; s. c. 97 Fed. 560.  
In re O'Connor, 95 Fed. 943, J. O. E. D. N. Y.

\* The cases tabulated, as a rule, refer specifically to the section, subsection or subdivision. No attempt has been made to include all cases which construe but do not, in words, refer to a section of the Law.

**Cl. 2**

**Cl. 3**

**Cl. 4** In re Averill, 1 N. B. N. 544, R. O. N. D. Ohio.

**Cl. 5**

**Cl. 6** In re Styer, 2 N. B. N. 205, J. O. E. D. Pa.  
In re Empire Metallic Bedstead Co., 1 Am. B. R. 136, R. O. N. D. N. Y.

**Cl. 7**

In re Long, 1 N. B. N., 12 R. O.  
In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.; s. c. 1 Am. B. R. 572.  
In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.  
In re Tilden, 91 Fed. 500, J. O. S. D. Ia.

**Cl. 8**

In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.

**Cl. 9**

In re Walker, 1 N. B. N. 510, J. O. D. N. Da.; s. c. 3 Am. B. R. 35; 96 Fed. 550.  
In re Simonson, Whiteson & Co., 1 Am. B. R. 197, J. O. D. Ky.  
In re Leigh Bros., 2 Am. B. R. 606, R. O. D. Colo.  
In re Blankfein, 97 Fed. 191, J. O. S. D. N. Y.

**Cl. 10**

In re Romanow et al, 1 N. B. N. 213, J. O. D. Mass.  
In re Harris, 1 N. B. N. 384, R. O. N. D. Ill.; s. c. 2 Am. B. R. 359.  
In re Gerson, 2 Am. B. R. 170, R. O. E. D. Pa.  
In re Stevenson, 93 Fed. 789, E. D. N. C.  
In re Richard, 94 Fed. 633, E. D. N. C.

**Cl. 11**

In re Norcross, 1 N. B. N. 258, R. O. W. D. Mo.  
In re Jefferson, 1 N. B. N. 289, J. O. D. Ky.; s. c. 93 Fed. 948.  
In re Richard, 1 N. B. N. 487, J. O. E. D. N. C.; s. c. 2 Am. B. R. 506; 94 Fed. 633.  
In re Baker, 1 N. B. N. 547, J. O. D. Kan.  
In re Baker, 2 N. B. N. 195, J. O. E. D. Tex.  
In re Houston, 94 Fed. 121, J. O. D. Ky.

**Cl. 12**

In re Van Orden, 1 N. B. N. 475, J. O. D. N. J.; s. c. 96 Fed. 86; 2 Am. B. R. 801.  
In re Houston, 94 Fed. 121, J. O. D. Ky.

**Cl. 13****Cl. 14**

- Cl. 15**     Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.  
               In re Martin, 1 N. B. N. 301, J. O. S. D. N. Y.  
               In re Empire Metallic Bedstead Co., 1 N. B. N. 301, R. O. N. D. N. Y.  
               In re Ebert, 1 Am. B. R. 346, R. O. W. D. Wis.  
               In re Meyers, 1 Am. B. R. 1, R. O. N. D. N. Y.  
               State ex rel. Strohl, 2 Am. B. R. 92; Sup. Ct. Wash.  
               In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.  
               In re Baumann, 3 Am. B. R. 196, J. O. W. D. Tenn.; s. c. 96 Fed. 946.

- Cl. 16**     In re Sabine, 1 Am. B. R. 315, R. O. N. D. N. Y.  
               In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.  
               In re Huddleston, 1 Am. B. R. 572, R. O. N. D. Ala.

- Cl. 17**     In re Long, 1 N. B. N. 12, J. O. S. D. O.

- Cl. 18**     In re Fixen & Co., 1 N. B. N. 568, J. O. S. D. Cal.; s. c. 2 Am. B. R. 832.  
               In re Wolpert, 1 Am. B. R. 436, R. O. N. D. N. Y.

- Cl. 19**     In re Empire Metallic Bedstead Co., 1 N. B. N. 301, R. O. N. D. N. Y.; s. c. 1  
                   Am. B. R. 136.  
               In re Meyer et al., 1 N. B. N. 304, J. O. E. D. N. Y.  
               In re Brice, 1 N. B. N. 310, J. O. S. D. Ia; s. c. 2 Am. B. R. 197; 93 Fed. 942.  
               In re Chemical National Bank vs. Meyer & Dickinson, 1 Am. B. R. 565, J. O.  
                   E. D. N. Y.  
               In re Marshall Paper Co., 2 Am. B. R. 653, J. O. D. Mass.; s. c. 95 Fed. 419.

- Cl. 20**     West vs. Lea Bros., 1 N. B. N. 409, U. S. S. C.; s. c. 2 Am. B. R. 463.  
               In re Lewis & Bros., 1 Am. B. R. 458, J. O. S. D. N. Y.  
               In re Stevenson, 2 Am. B. R. 66, J. O. D. Del.; s. c. 94, Fed. 110.  
               In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.

- Cl. 21**     In re Folb, 1 Am. B. R. 22, J. O. E. D. N. C.

- Cl. 22**     In re Morris, 2 N. B. N. 260, R. O. S. D. Ga.  
               In re Boasberg, 1 Am. B. R. 353, R. O. N. D. N. Y.  
               In re Polakoff, 1 Am. B. R. 358, R. O. N. D. N. Y.  
               In re Baker-Ricketson Co., 97 Fed. 489, J. O. D. Mass.

- Cl. 23** In re Coe, Powers & Co., 1 N. B. N. 295, R. O. N. D. O.; s. c. 1 Am. B. R. 275.  
In re Headley, 2 N. B. N. 250, J. O. W. D. Mo.; s. c. 3 Am. B. R. 272; 97 Fed. 765.

**Cl. 24**

- Cl. 25** Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind; s. c. 92 Fed. 594.  
In re Empire Metallic Bedstead Co., 1 N. B. N. 301, R. O. N. D. N. Y.  
In re Knost, 1 N. B. N. 403, R. O. S. D. O.  
In re Coffin, 1 N. B. N. 507, R. O. E. D. Tex; s. c. 2 Am. B. R. 344.  
In re Baker-Ricketson Co., 2 N. B. N. 133, J. O. D. Mass.; s. c. 97 Fed. 469.  
Johnson vs. Wald, 2 Am. B. R. 84, C. C. A. 5; s. c. 93 Fed. 640.  
In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.; s. c. 96 Fed. 812.  
Worden vs. Columbia Electric Co., 3 Am. B. R. 187, J. O. D. Ind.  
Fort Wayne Electric Co. vs. Columbia Electric Co., 96 Fed. 803, J. O. D. Ind.

**Cl. 26**

- Cl. 27** In re Rose, 1 N. B. N. 212, R. O. N. D. O.; s. c. 1 Am. B. R. 68.  
In re Rouse, Hazard & Co., 1 Am. B. R. 231, J. O. N. D. Ill.  
In re Rouse, Hazard & Co., 1 Am. B. R. 234, C. C. A. 7.  
In re Gerson, 1 Am. B. R. 251, R. O. E. D. Pa.  
In re Sabine, 1 Am. B. R. 322, R. O. N. D. N. Y.  
In re Carolina Cooperage Co., 3 Am. B. R. 154, J. O. E. D. N. C.; s. c. 96 Fed. 950.

**Cl. 28**

- Cl. 29** In re Empire Metallic Bedstead Co., 1 N. B. N. 301, R. O. N. D. N. Y.

**Cl. 30**

## CHAPTER II.

### Creation of Courts of Bankruptcy and their Jurisdiction.

#### SEC. 2

In re Lea Bros., 1 N. B. N. 79, J. O. E. D. Va.  
 In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.  
 In re Kerski, 1 N. B. N. 328, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Woodbury, 2 N. B. N. 284, J. O. D. N. Dak.  
 Schultz vs. National Bank of Aurora, 2 N. B. N. 320, J. O. D. Ind.  
 Blake vs. Francis, 89 Fed. 691.  
 In re Brodbine, 93 Fed. 648, J. O. D. Mass.  
 In re Newbury, 97 Fed. 24, J. O. W. D. Mich.  
 In re Mason, 99 Fed. 256, J. O. W. D. N. C.

#### CL. 1

In re Stokes, 1 N. B. N. 106, R. O. D. Wash.; s. c. 1 Am. B. R. 35.  
 In re Marine et al. Co., 1 N. B. N. 186, J. O. D. R. I.  
 In re Laskaris, 1 N. B. N. 209, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 480.  
 Davis vs. Bohle, 1 N. B. N. 216, C. C. A. 8.  
 In re Brice 1 N. B. N. 310, J. O. S. D. Ia.; s. c. 2 Am. B. R. 197; 93 Fed. 942.  
 In re Ray, 1 N. B. N. 336, R. and J. O. D. Wash.; s. c. 2 Am. B. R. 158.  
 In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Waxelbaum, 2 N. B. N. 103, J. O. S. D. N. Y.; s. c. 2 Am. B. R. 267;  
     97 Fed. 562.  
 In re Berner, 2 N. B. N. 330, R. O. N. D. Ohio; s. c. 3 Am. B. R. 325.  
 In re Sugenhimer, 1 Am. B. R. 425, J. O. S. D. N. Y.  
 In re Grimes, 2 Am. B. R. 160, J. O. W. D. N. C.  
 In re Clisdell, 2 Am. B. R. 424, R. O. N. D. N. Y.  
 In re Marine Machine & C. Co., 91 Fed. 630, J. O. S. D. N. Y.  
 In re Waxelbaum, 98 Fed. 589, J. O. S. D. N. Y.

#### CL. 2

In re Overstreet, 1 N. B. N. 408, R. O. S. D. N. Y.  
 In re Woodruff, et al., 1 N. B. N. 423, J. O. S. D. Ga.; s. c. 96 Fed. 317.  
 In re Post, 1 N. B. N. 527, R. O. E. D. Mich.  
 Schultz vs. First National Bank of Aurora, 2 N. B. N. 320, J. O. D. Ind.  
 In re Brodbine, 2 Am. B. R. 53, J. O. D. Mass.  
 In re Bruss-Ritter Co., 90 Fed. 651, J. O. E. D. Wis.



**CI 3.**

- In re Streinheimer, 1 N. B. N. 21, J. O. D. Ga.  
 In re Abramson, 1 N. B. N. 23, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 44.  
 In re Gerson, 1 N. B. N. 24, J. O. E. D. Pa.  
 In re Gutwillig, 1 N. B. N. 40, J. O. S. D. N. Y.  
 In re Hopkins, 1 N. B. N. 41, J. O. D. Tenn.  
 In re Etheridge Furniture Co., 1 N. B. N. 139, J. O. D. Ky.; s. c. 1 Am. B. R. 112; 92 Fed. 329.  
 In re Smith, 1 N. B. N. 61, J. O. D. Ky.  
 In re Sievers, 1 N. B. N. 69, J. O. E. D. Mo.  
 In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Fixen & Co., 1 N. B. N. 568, J. O. S. D. Cal.; s. c. 2 Am. B. R. 822; 96 Fed. 746.  
 In re Becker, 2 N. B. N. 245, J. O. E. D. Pa.  
 In re Schrom, 3 Am. B. R. 252, J. O. N. D. Ia.  
 In re Brodbine, 2 Am. B. R. 53, J. O. D. Mass.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Bruss-Ritter Co., 90 Fed. 651, J. O. E. D. Wis.  
 Mitchell vs. McClure, 91 Fed. 621, J. O. W. D. Pa.  
 In re Schrom, 97 Fed. 760, J. O. N. D. Ia.  
 In re Becker, 98 Fed. 407, J. O. E. D. Pa.  
 In re Woodbury, 98 Fed. 833, J. O. D. N. Dak.

**CI. 4**

- In re McKee, 1 N. B. N. 139, Co. Ct. Ky.  
 In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Rudnick Bros., 1 N. B. N. 276, J. O. D. Mass.

**CI. 5**

- In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Fixen & Co., 1 N. B. N. 566, J. O. S. D. Cal.; s. c. 2 Am. B. R. 822.  
 In re Abrahamson, 1 Am. B. R. 44, R. O. N. D. N. Y.  
 In re Etheridge Furniture Co., 1 Am. B. R. 112, J. O. D. Ky.  
 In re Brodbine, 2 Am. B. R. 53, J. O. D. Mass.

**CI. 6**

- Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 1 Am. B. R. 216; 92 Fed. 594.  
 In re Post, 1 N. B. N. 294, R. O. N. D. O.

In re Karski, 1 N. B. N. 326, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 Southern Loan & Trust Co. vs. Benbow, 1 N. B. N. 499, J. O. W. D. N. C.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55.  
 In re Elliot, 2 N. B. N. 350, R. O. S. D. Ohio.  
 In re Gutwillig, 1 Am. B. R. 78, J. O. S. D. N. Y.  
 In re Sievers, 1 Am. B. R. 117, J. O. E. D. Mo.  
 In re Carter, 1 Am. B. R. 160, R. O. S. D. Ga.  
 Burnett vs. Morris Co., 1 Am. B. R. 229, J. O. D. Ore.  
 Lea vs. West, 1 Am. B. R. 261, J. O. E. D. Va.  
 In re Sabine, 1 Am. B. R. 315, R. O. N. D. N. Y.  
 Carpenter vs. O'Connor, 1 Am. B. R. 381, Ohio C. C.  
 In re Goldberg, 1 Am. B. R. 385, R. O. D. Utah.  
 In re Gutwillig, 1 Am. B. R. 388, C. C. A. 2.  
 In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.  
 In re Worland, 1 Am. B. R. 450, J. O. N. D. Ia.  
 Mather vs. Coe, 1 Am. B. R. 504, J. O. N. D. O.  
 In re Huddleston, 1 Am. B. R. 572, R. O. N. D. Ala.  
 In re Fowler, 1 Am. B. R. 637, R. O. D. Conn.  
 In re Brodbrine, 2 Am. B. R. 53, J. O. D. Mass.; s. c. 93 Fed. 643.

# CL. 7

In re Sievers, 1 N. B. N. 69, J. O. E. D. Mo.; s. c. 1 Am. B. R. 117.  
 In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.; s. c. 1 Am. B. R. 160.  
 In re Adams, 1 N. B. N. 167, R. O. N. D. N. Y.  
 Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 1 Am. B. R. 215; 92  
     Fed. 594.  
 In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.; s. c. 1 Am. B. R. 572.  
 In re Fowler, 1 N. B. N. 215, R. O. D. Conn.  
 In re Kerski, 1 N. B. N. 328, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Knost, 1 N. B. N. 336, J. O. S. D. Ohio; s. c. 2 Am. B. R. 153; 94 Fed.  
     625.  
 In re Overstreet, 1 N. B. N. 406, R. O. E. D. Ark.; s. c. 2 Am. B. R. 487.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96  
     Fed. 536.  
 In re Newbury, 2 N. B. N. 56, J. O. W. D. Mich.; s. c. 3 Am. B. R. 158.  
 Murray vs. Beal, 2 N. B. N. 164, J. O. D. Utah; s. c. 3 Am. B. R. 284; 97  
     Fed. 567.  
 In re Schloerb, et al, 2 N. B. N. 234, J. O. E. D. Wis.  
 In re Becker, 2 N. B. N. 245, J. O. E. D. Pa.  
 In re Woodbery, 2 N. B. N. 284, J. O. D. N. Da.

Schultz vs. National Bank of Aurora, 2 N. B. N. 820, J. O. D. Ind.  
 In re Gutwillig, 1 Am. B. R. 78, J. O. S. D. N. Y.  
 Burnett vs. Morrison, 1 Am. B. R. 229, J. O. D. Ore.  
 Lea vs. West, 1 Am. B. R. 261, J. O. E. D. Va.  
 In re Sabine, 1 Am. B. R. 315, R. O. N. D. N. Y.  
 Carpenter vs. O'Connor, 1 Am. B. R. 381, Ohio C. C.  
 In re Gutwillig, 1 Am. B. R. 388, C. C. A. 2.  
 In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.  
 In re Worland, 1 Am. B. R. 450, J. O. N. D. Ia.  
 In re Pittelkow, 1 Am. B. R. 472, J. O. E. D. Wis.  
 In re Brooks, 1 Am. B. R. 531, J. O. D. Wis.  
 In re Fowler, 1 Am. B. R. 637, R. O. D. Conn.  
 In re Brodbrine, 2 Am. B. R. 53, J. O. D. Mass.  
 In re Leidigh Carriage Co., vs. Stengal, 2 Am. B. R. 393, C. C. A. 6.  
 Southern Loan & Trust Co. vs. Benbow, 3 Am. B. R. 9, J. O. W. D. N. C.  
 In re Smith, 92 Fed. 135, J. O. D. Ind.  
 In re Abraham, 93 Fed 767, C. C. A. 5.

**Cl. 8** In re Soper, 1 Am. B. R. 193, R. O. N. D. N. Y.  
 In re Wolpert, 1 Am. B. R. 436, R. O. N. D. N. Y.  
 In re Stein, 1 Am. B. R. 662, J. O. D. Ind.

**Cl. 9** In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Rudnick, 1. N. B. N. 531, J. O. D. Mass.; s. c. Am. B. R. 114 ; 93 Fed.  
 767.

**Cl. 10**

In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.

In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.

In re Smith, 1 N. B. N. 532, J. O. W. D. Tex.; s. c. 2 Am. B. R. 190; 93 Fed. 791.

In re Langslow, et al., 1 Am. B. R. 258, J. O. N. D. N. Y.

In re Woodard, 2 Am. B. R. 339, J. O. E. D. N. C.

In re Grimes, 96 Fed. 529, W. D. N. C.

**Cl. 11**

In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.; s. c. 1 Am. B. R. 572.

In re Woodard, 1 N. B. N. 385, J. O. E. D. N. C.; s. c. 2 Am. B. R. 339; 96 Fed. 260.

In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.

In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96 Fed. 536.

In re Bragg, 2 N. B. N. 82, R. O. S. D. Ala.

In re Camp, 1 Am. B. R. 165, J. O. N. D. Ga.

In re Tilden, 1 Am. B. R. 300, J. O. S. D. Ia.

In re Scott, 1 Am. B. R. 553, J. O. N. D. Tex.

Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.; s. c. 94 Fed. 801.

**Cl. 12**

In re Rudnick, 1 N. B. N. 276, J. O. D. Mass.; s. c. 1 N. B. N. 531; 93 Fed. 787.

In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.

In re Thomas, 1 Am. B. R. 515, J. O. S. D. Ia.

In re Holman, 1 Am. B. R. 600, J. O. S. D. Ia.

**Cl. 13**

In re Houston, 1 N. B. N. 305, J. O. D. Ky.; s. c. 2 Am. B. R. 107.

In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.

In re McCormick, 2 N. B. N. 104, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 340; 97 Fed. 566.

In re Mayer, 2 N. B. N. 257, J. O. E. D. Wis.

**Cl. 14**

In re McKee, 1 N. B. N. 139, S. C. Ohio.

In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.

**Cl. 15**

In re Gutwillig, 1 N. B. N. 40, J. O. S. D. N. Y.; s. c. 1 Am. B. R. 78.

In re Sabine, 1 N. B. N. 45, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 315.

In re Sievers, 1 N. B. N. 69, J. O. E. D. Mo.; s. c.\*1 Am. B. R. 117; 91 Fed. 306.

Blake vs. Francis-Valentine Co., 1 N. B. N. 47, J. O. D. Ind.

In re Kletchka, 1 N. B. N. 160, J. O. S. D. N. Y.; s. c. 92 Fed. 901.

Carter vs Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 1 Am. B. R. 215.

In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.; s. c. 1 Am. B. R. 572.

In re Rudnick, 1 N. B. N. 276, J. O. D. Mass.

In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio.

In re Post, 1 N. B. N. 294, R. O. N. D. Ohio.

In re Kerski, 1 N. B. N. 328, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.

In re Smith et. al., 1 N. B. N. 156, J. O. E. D. Ind.

In re Pruschen, 1 N. B. N. 526, R. O. E. D. La.

In re Fixen, 1 N. B. N. 568, J. O. S. D. Cal.; s. c. 2 Am. B. R. 822; 96 Fed. 748.

In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.

Southern Loan and Trust Co. vs. Benbow, 1 N. B. N. 499, J. O. W. D. N. C.; s. c. 96 Fed. 514.

In re Horgan, 2 N. B. N. 233, C. C. A. 2

In re O'Brian, 2 N. B. N. 312, R. O. N. D. N. Y.

In re Lipke, 2 N. B. N. 347, J. O. S. D. N. Y.

In re Carter, 1 Am. B. R. 160, R. O. S. D. Ga.

In re Rous et al., 1 Am. B. R. 231, J. O. N. D. Ia.

Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.

Carpenter vs. O'Connor, 1 Am. B. R. 381, Ohio C. C.

In re Gutwillig, 1 Am. B. R. 388, C. C. A. 2; s. c. 92 Fed. 336.

In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.

In re Worland, 1 Am. B. R. 450, J. O. N. D. Ia.

In re Pittelkow, 1 Am. B. R. 472, J. O. E. D. Wis.

Mather vs. Coe, 1 Am. B. R. 504, J. O. N. D. Ohio.

In re Fowler, 1 Am. B. R. 637, R. O. D. Conn.

In re Brodbrine, 2 Am. B. R. 53, J. O. D. Mass.; s. c. 93 Fed. 643.

In re Fellerath, 2 Am. B. R. 40, J. O. N. D. Ohio.; s. c. 95 Fed. 121

In re Smith, 2 Am. B. R. 9, J. O. D. Ind.

In re Friedman, 2 Am. B. R. 301, R. O. S. D. N. Y.

In re Basch, 97 Fed. 761, J. O. S. D. N. Y.

- Cl. 16** In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re McCormick, 2 N. B. N. 104, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 340;  
 97 Fed. 566.  
 In re Mayer, 2 N. B. N. 257, J. O. E. D. Wis.

- Cl. 17** In re Overstreet, 1 N. B. N. 400, R. O. E. D. Ark.  
 In re Lowensohn, 2 N. B. N. 316, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 299.  
 In re Kuffler, 97 Fed. 187, J. O. S. D. N. Y.

- Cl. 18** In re Wolpert, 1 N. B. N. 238, R. O. N. D. N. Y.  
 In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Grimes, 1 N. B. N. 516, J. O. W. D. N. C.; s. c. 2 Am. B. R. 730; 96  
 Fed. 529.  
 In re Carolina Cooperage Co., 1 N. B. N. 534, J. O. E. D. N. C.; s. c. 96  
 Fed. 604.  
 In re Ghiglione, 1 Am. B. R. 580, J. O. S. D. N. Y.

- Cl. 19** In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.  
 In re Lowensohn, 2 N. B. N. 315, J. O. S. D. N. Y.

- Last para.** In re Sievers, 1 N. B. N. 68, J. O. E. D. Mo.  
 In re Kerski, 1 N. B. N. 328, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Booth, 1 N. B. N. 476, R. and J. O. N. D. Ga.  
 In re Overstreet, 1 N. B. N. 408, R. O. E. D. Ark.; s. c. 2 Am. B. R. 467.  
 In re Gutwillig, 1 N. B. N. 554, C. C. A. 2.

## CHAPTER III.

### Bankrupts.

#### SEC. 3.

##### Subd. a

##### Cl. 1

Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.; s. c. 1 Am. B. R. 261.  
 In re Curtis et al., 1 N. B. N. 163, J. O. S. D. Ill.  
 In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio.  
 In re Empire Metallic Bedstead Co., 1 N. B. N. 301, R. O. N. D. N. Y.; s. c.  
 1 Am. B. R. 136.  
 In re Meyer et al., 1 N. B. N. 304, J. O. E. D. N. Y.  
 In re Smith et al., 1 N. B. N. 356, J. O. D. Ind.  
 West vs. Lea, 1 N. B. N. 409, U. S. S. C.; s. c. 2 Am. B. R. 463  
 In re Richards, 2 N. B. N. 36, C. C. A. 7; s. c. 3 Am. B. R., 145; 96 Fed.  
 935.  
 In re Baker-Ricketson Co., 2 N. B. N. 133, J. O. D. Mass.; s. c. 97 Fed. 489.  
 In re Empire Metallic Bedstead Co., 2 N. B. N. 304, C. C. A. 2.  
 In re Gutwillig, 1 Am. B. R. 76, J. O. S. D. N. Y.  
 In re Sievers, 1 Am. B. R. 117, J. O. E. D. Mo.  
 In re Fellerath, 2 Am. B. R. 40, J. O. N. D. Ohio.  
 In re Pearson, 95 Fed. 425, J. O. S. D. N. Y.  
 In re Lang, 97 Fed. 197, J. O. S. D. N. Y.  
 In re Mercur, 95 Fed. 634, J. O. E. D. Pa.

##### Cl. 2

Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.  
 In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio.  
 In re Smith et al., 1 N. B. N. 356, J. O. D. Ind.  
 In re Knost, 1 N. B. N. 403, R. O. S. D. , Ohio; s. c. 2 Am. B. R. 471.  
 West vs. Lea, 1 N. B. N. 409, U. S. S. C; s. c. 2 Am. B. R. 463.  
 In re Taylor, 1 N. B. N. 412, R. O. N. D. N. Y.  
 Cooke vs. Bank, 1 N. B. N. 530, Sup. C. N. Y.  
 Mather vs. Coe, 1 N. B. N. 554, J. O. N. D. Ohio.  
 In re Simonson et al., 1 Am. B. R. 197, J. O. D. Ky.  
 In re Ebert, 1 Am. B. R. 340, R. O. W. D. Wis.  
 In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.; s. c. 96 Fed. 812.  
 Johnson vs. Wald, 93 Fed. 640, C. C. A. 5.  
 Goldman vs. Smith, 93 Fed. 182, J. O. D. Ky.  
 In re Richards. 96 Fed. 935, C. C. A. 7.



In re Baker-Ricketson Co., 97 Fed. 489, J. O. D. Mass.  
 In re Tirre, 95 Fed. 425, J. O. S. D. N. Y.  
 In re Lange, 97 Fed. 197, J. O. S. D. N. Y.

**Cl. 3**

Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.  
 In re Reischman, 1 N. B. N. 205, J. O. E. D. Mo.; s. c. 1 Am. B. R. 17; 91 Fed. 624.  
 In re Meyers, 1 N. B. N. 207, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 1.  
 In re Moyer, 1 N. B. N. 260, J. O. E. D. Pa.; s. c. 1 Am. B. R. 577; 93 Fed. 188.  
 In re Ricks, 1 N. B. N. 292, J. O. N. D. Ohio.  
 In re Smith et al, 1 N. B. N. 356, J. O. E. D. Ind.  
 West vs. Lea, 1 N. B. N. 409, U. S. S. C.; s. c. 2 Am. B. R. 463.  
 In re Nathan, 1 N. B. N. 563, J. O. D. Nev.; s. c. 92 Fed. 590.  
 Rumsey vs. N & M. Co., 2 N. B. N. 128, J. O. E. D. Mo.  
 Parmenter Manufacturing Co. vs. Stooover, 2 N. B. N. 174, J. O. C. C. A. 1; s. c. 97 Fed. 330; 3 Am. B. R. 220.  
 In re Rhodes, 2 N. B. N. 301, J. O. W. D. Pa.  
 In re Emslie, 2 N. B. N. 324, J. O. S. D. N. Y.  
 In re Nelson, 1 Am. B. R. 63, J. O. W. D. Mo.  
 In re Ogles, 1 Am. B. R. 671, J. O. W. D. Tenn.; s. c. 93 Fed. 426.  
 In re Ferguson, 2 Am. B. R. 586, J. O. S. D. N. Y.; s. c. 95 Fed. 429.  
 In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.; s. c. 96 Fed. 812.  
 Blake vs. Francis-Valentine, 89 Fed. 691, J. O. N. D. Cal.  
 In re Cliffe, 94 Fed. 354, J. O. E. D. Pa.  
 In re Richards, 96 Fed. 935, C. C. A. 7.  
 In re Baker-Ricketson Co., 97 Fed. 489, J. O. D. Mass.  
 In re Burrus, 97 Fed. 926, J. O. W. D. Va.  
 In re Nelson, 98 Fed. 76, J. O. W. D. Wis.

- Cl. 4**      In re Gutwillig, 1 N. B. N. 40, J. O. S. D. N. Y.; s. c. 1 Am. B. R. 70; 90 Fed. 476.
- In re Sievers, 1 N. B. N. 68, J. O. E. D. Mo.; s. c. 1 Am. B. R. 117; 91 Fed. 366.
- Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.; s. c. 1 Am. B. R. 261; 91 Fed. 237.
- Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153; 91 Fed. 102.
- Davis vs. Bohle, 1 N. B. N. 216, J. O. C. C. A. 8; s. c. 1 Am. B. R. 412; 92 Fed. 325.
- In re Fellerath, 1 N. B. N. 292, J. O. N. D. O.; s. c. 95 Fed. 121.
- In re Empire Metallic Bedstead Co., 1 N. B. N. 302, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 329.
- In re Smith, et al, 1 N. B. N. 356, J. O. D. Ind.; s. c. 2 Am. B. R. 9; 92 Fed. 135.
- West vs. Lea, 1 N. B. N. 409, C. C. A.
- Sinsheiner v. Simonson, 1 N. B. N. 549, J. O. D. Ky.; s. c. 96 Fed. 579.
- In re Baker-Ricketson Co., 2 N. B. N. 133, J. O. D. Mass.; s. c. 97 Fed. 489.
- In re Emslie, 2 N. B. N. 324, J. O. S. D. N. Y.
- In re Etheridge Furniture Co. 1 Am. B. R. 117, J. O. D. Ky.
- In re Romanow et al, 92 Fed. 510, J. O. D. Mass.
- In re Simonson, 92 Fed. 904, J. O. D. Ky.
- In re Curtis et al., 91 Fed. 737, J. O. S. D. Ill.
- In re Curtis et al., 94 Fed. 630, C. C. A. 7.
- In re Gutwillig, 1 Am. B. R. 388, C. C. A. 2.; s. c. 92 Fed. 337.
- In re Curtis, 1 Am. B. R. 440, J. O. S. D. Ill.
- In re Wilcox, 1 Am. B. R. 344, R. O. D. Tenn.
- In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.; s. c. 96 Fed. 812.
- In re Richards, 3 Am. B. R. 145, C. C. A. 7.; s. c. 96 Fed. 235.
- In re Ogles, 93 Fed. 426, J. O. W. D. Tenn.
- In re Mercur. 95 Fed. 634, J. O. E. D. Pa.
- Leidigh Carriage Co. et al. vs. Stengel et al., 95 Fed. 637, C. C. A. 6.
- In re Hayden, 96 Fed. 199, J. O. S. D. Fla.

**CL. 5**

Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.  
 In re Bates Machine Co., 1 N. B. N. 135, J. O. D. Mass.; s. c. 91 Fed. 625;  
 1 Am. B. R. 129.  
 In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio; s. c. 95 Fed. 121.  
 In re Empire Metallic Bedstead Co., 1 N. B. N. 302, R. O. N. D. N. Y.; s. c.  
 1 Am. B. R. 136.  
 In re Smith, 1 N. B. N. 356, J. O. D. Ind.  
 West vs. Lea, 1 N. B. N. 409, U. S. S. C.; s. c. 2 Am. B. R. 463.  
 In re Lange, 2 N. B. N. 82, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 231; 97  
 Fed. 197.  
 In re Baker-Ricketson Co., 2 N. B. N. 133, J. O. D. Mass.; s. c. 97 Fed. 439.  
 In re Marine Machine Co., 1 Am. B. R., 421, J. O. S. D. N. Y.; s. c. 91 Fed. 630.  
 In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.; s. c. 96 Fed. 812.  
 In re Richards, 3 Am. B. R. 125, C. C. A. 7; s. c. 96 Fed. 935.  
 In re Sievers, 91 Fed. 366, J. O. E. D. Mo.; s. c. 1 N. B. N. 68; 1 Am. B. R.  
 117.  
 In re Curtis, 91 Fed. 737, J. O. S. D. N. Y.

**Subd. b**

Parmenter Manufacturing Co., vs. Hamilton, 1 N. B. N. 8, J. O. D. Mass.  
 In re Lewis, 1 N. B. N. 556, J. O. S. D. N. Y.; s. c. 91 Fed. 632.  
 In re Little River Co., 1 N. B. N. 306, R. & J. O. W. D. Ark.; s. c. 92  
 Fed. 510.  
 In re Stevenson, 1 N. B. N. 313, J. O. D. Del.; s. c. 2 Am. B. R. 66; 94  
 Fed. 110.  
 In re Woodward, 1 N. B. N. 352, R. O. E. D. Tex.; s. c. 2 Am. B. R. 233.  
 In re Wright, 1 N. B. N. 381, J. O. N. D. Ga.; s. c. 2 Am. B. R. 364; 96  
 Fed. 687.  
 West vs. Lea, 1 N. B. N. 409, U. S. S. C.; s. c. 2 Am. B. R. 463.  
 In re Nathan, 1 N. B. N. 563, J. O. D. Nev.  
 In re Richards, 2 N. B. N. 38, C. C. A. 7; s. c. 3 Am. B. R. 145; 96 Fed. 935.  
 In re Barker, 2 N. B. N. 353, R. O. D. Col.  
 Bray et al. vs. Cobh, 1 Am. B. R. 153, J. O. E. D. N. C.  
 Lea vs. West, 1 Am. B. R. 261, J. O. E. D. Va.; s. c. 1 N. B. N. 79.  
 In re Wolf, 2 Am. B. R. 322, J. O. D. N. J.  
 In re Romanow, 92 Fed. 510, J. O. D. Mass.  
 In re Ghiglione, 93 Fed. 186, J. O. S. D. N. Y.; s. c. 1 N. B. N. 351; 1 Am.  
 B. R. 580.  
 In re Fellerath, 95 Fed. 121, J. O. N. D. O.; s. c. 1 N. B. N. 292.  
 Sinsheimer vs. Simonson, 96 Fed. 579, J. O. D. Ky.  
 In re Rome Mills, 96 Fed. 812, J. O. N. D. N. Y.  
 Parmenter vs. Dayton, 97 Fed. 330, C. C. A. 1.  
 In re Dupree, 97 Fed. 28, J. O. E. D. N. C.

**Subd. c**      *Bray vs. Cobb*, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153; 91 Fed. 102.  
*In re Ghiglione*, 1 N. B. N. 351, J. O. S. D. N. Y.; s. c. 93 Fed. 186.  
*West vs. Lea*, 1 N. B. N. 79, J. O. E. D. Va.; s. c. 1 Am. B. R. 261.  
*Mather vs. Coe*, 1 N. B. N. 554, J. O. N. D. O.; s. c. 92 Fed. 333.  
*In re Nathan*, 1 N. B. N. 563, R. O. D. Nev.  
*West vs. Lea*, 2 Am. B. R. 463, U. S. S. C.; s. c. 1 N. B. N. 409.  
*In re Rome Mills*, 3 Am. B. R. 123, J. O. N. D. N. Y.; 96 Fed. 812.  
*In re Richards*, 3 Am. B. R. 145, C. C. A. 7; s. c. 2 N. B. N. 38; 96 Fed. 935.  
*In re Simonson*, 92 Fed. 904, J. O. D. Ky.

**Subd. d**      *Bray vs. Cobb*, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153; 91 Fed. 102.  
*In re Ghiglione*, 1 N. B. N. 351, J. O. S. D. N. Y.  
*West vs. Lea*, 1 N. B. N. 409, U. S. S. C.; s. c. 2 Am. B. R. 463.  
*In re Richards*, 3 Am. B. R. 145, C. C. A. 7; s. c. 96 Fed. 935.  
*In re Rome Mills*, 96 Fed. 812, J. O. N. D. N. Y.; s. c. 3 Am. B. R. 123.  
*In re Lange*, 97 Fed. 197, J. O. S. D. N. Y.  
*In re Baker-Ricketson Co.*, 97 Fed. 489, J. O. D. Mass

**Subd. e**      *In re Williams*, 1 N. B. N. 140, J. O. E. D. Ia  
*In re Wolpert*, 1 N. B. N. 239, R. O. N. D. N. Y.  
*In re Ghiglione*, 1 N. B. N. 351, J. O. S. D. N. Y.; s. c. 1 Am. B. R. 580; 93 Fed. 186.  
*In re Abraham*, 1 N. B. N. 281, C. C. A. 5; s. c. 2 Am. B. R. 266; 93 Fed. 767.  
*In re Rockwood*, 1 Am. B. R. 272, J. O. N. D. Ia.  
*In re Kelly*, 1 Am. B. R. 306, J. O. W. D. Tenn.  
*In re Richards*, 3 Am. B. R. 145, C. C. A. 7; s. c. 2 N. B. N. 38; 96 Fed. 935.  
*In re Kelly*, 91 Fed. 504, J. O. W. D. Tenn.

**SEC. 4**

- Subd. a**     *Parmenter vs. Hamilton*, 1 N. B. N. 8, J. O. D. Mass.  
*In re Bates Machine Co.*, 1 N. B. N. 135, J. O. D. Mass.; s. c. 1 Am. B. R. 129 ;  
91 Fed. 625.  
*In re Jefferson*, 1 N. B. N. 289, J. O. D. Ky.; s. c. 2. Am. B. R. 206 ; 93 Fed.  
948.  
*In re Rennie*, 1 N. B. N. 335, R. O. Ind. Ter.  
*In re Smith*, 1 N. B. N. 356, J. O. D. Ind.; s. c. 2 Am. B. R. 9  
*In re Empire Metallic Bedstead Co.*, 1 N. B. N. 538, J. O. N. D. N. Y.; s. c.  
2 Am. B. R. 329 ; 95 Fed. 957.  
*Chemical National Bank vs. Heyer*, 1 Am. B. R. 565, J. O. E. D. N. Y.; s. c.  
92 Fed. 896.  
*In re Fellerath*, 2 Am. B. R. 40, J. O. N. D. O.; s. c. 95 Fed. 121 ; 1 N. B. N.  
292.  
*In re San Gabriel*, 2 Am. B. R. 406, J. O. S. D. Cal.; s. c. 95 Fed. 271 ; 1 N. B.  
N. 390.  
*In re Jehu*, 2 Am. B. R. 496, J. O. N. D. Ia.  
*Sellers vs. Bell*, 2 Am. B. R. 529, C. C. A. 5 ; s. c. 94 Fed. 801.

- Subd. b**     *Parmenter vs. Hamilton*, 1 N. B. N. 8, J. O. D. Mass.  
*In re Neidlinger*, 1 N. B. N. 192, R. O. E. D. Ga.  
*In re Norcross*, 1 N. B. N. 268, R. O. W. D. Mo.  
*In re Fellerath*, 1 N. B. N. 292, J. O. N. D. O.; s. c. 95 Fed. 121.  
*In re Empire Metallic Bedstead Co.*, 1 N. B. N. 302, R. O. N. D. N. Y.  
*In re Empire Metallic Bedstead Co.*, 1 N. B. N. 386, J. O. N. D. N. Y.; s. c.  
2 Am. B. R. 329 ; 95 Fed. 957.  
*In re Meyer*, 1 N. B. N. 304, J. O. E. D. N. Y.  
*In re Brice*, 1 N. B. N. 310, J. O. S. D. Ia.; s. c. 2 Am. B. R. 197 ; 93 Fed. 942.  
*In re Smith*, 1 N. B. N. 356, J. O. D. Ind.; s. c. 2 Am. B. R. 9.  
*In re Cain*, 1 N. B. N. 389, R. & J. O. N. D. Ill.  
*In re San Gabriel*, 1 N. B. N. 390, J. O. S. D. Cal.; s. c. 95 Fed. 271.  
*In re Bates Machine Co.*, 1 Am. B. R. 129, J. O. D. Mass.; s. c. 1 N. B. N.  
135 ; 91 Fed. 625.  
*Chemical National Bank vs. Meyer*, 1 Am. B. R. 565, J. O. E. D. N. Y.  
*In re Fellerath*, 2 Am. B. R. 40, J. O. N. D. O ; s. c. 95 Fed. 121 ; 1 N. B. N.  
292.  
*In re New York & W. Water Co* , 98 Fed. 711, J. O. S. D. N. Y.  
*In re Cain*, 2 Am. B. R. 378, R. O. N. D. Ill.  
*In re Cameron Town Lrs. Co.*, 96 Fed. 756, J. O. W. D. Mo.

In re Richman, 91 Fed. 624, J. O. E. D. Mo ; s. c. 1 N. B. N. 205 ; 1 Am. B. R. 17.  
 In re Marine Machine Co., 91 Fed. 630, J. O. S. D. N. Y.

## SEC. 5

### Subd. a

In re Freund, 1 N. B. N. 105, R. O. N. D. Ia. ; s. c. 1 Am. B. R. 25.  
 In re Langslow, 1 N. B. N. 232, J. O. N. D. N. Y. ; s. c. 1 Am. B. R. 258.  
 In re Reichman et al., 1 N. B. N. 288, J. O. N. D. N. Y. ; s. c. 1 Am. B. R. 17 ;  
 91 Fed. 624.  
 In re Meyer et al., 1 N. B. N. 304, J. O. E. D. N. Y.  
 In re Altman, 1 N. B. N. 358, R. O. N. D. N. Y. ; s. c. 1 Am. B. R. 689.  
 In re Wilcox, 1 N. B. N. 494, J. O. D. Mass. ; s. c. 2 Am. B. R. 117 ; 94 Fed.  
 84.  
 In re Meyers, 1 N. B. N. 515, J. O. S. D. N. Y. ; s. c. 3 Am. B. R. 260.  
 In re Murray, 1 N. B. N. 532, J. O. N. D. Ia. ; s. c. 1 N. B. N. 570 ; 3 Am.  
 B. R. 90.  
 In re Russell, 1 N. B. N. 532, J. O. N. D. Ia. ; s. c. 3 Am. B. R. 91.  
 In re Webster et al., 2 N. B. N. 54, R. O. S. D. N. Y.  
 In re Hirsch, 2 N. B. N. 137, J. O. S. D. N. Y. ; s. c. 3 Am. B. R. 344 ; 97  
 Fed. 571.  
 In re Lentz et al., 2 N. B. N. 190, J. O. S. D. O.  
 In re O'Brisn, 2 N. B. N. 812, R. O. N. D. N. Y.  
 In re Elliot, 2 N. B. N. 350, R. O. S. D. O.  
 Chemical National Bank vs. Meyer, 1 Am. B. R. 565, J. O. E. D. N. Y. ; s. c.  
 92 Fed. 896.  
 In re Levy, 2 Am. B. R. 21, R. O. N. D. N. Y.  
 In re Stevenson, 2 Am. B. R. 230, J. O. N. D. N. C.  
 In re Wilson, 2 Am. B. R. 556, J. O. W. D. Wis.  
 In re Donnegan, 2 Am. B. R. 628, J. O. D. N. Y.  
 In re Altman, 2 Am. B. R. 407, J. O. N. D. N. Y. ; 95 Fed. 263.  
 In re Hartman, 3 Am. B. R. 65, J. O. N. D. Ia.  
 In re McFaun, 3 Am. B. R. 66, J. O. N. D. Ia.  
 In re Grimes, 94 Fed. 800, J. O. N. D. N. C.  
 In re Kenuey, 97 Fed. 554, J. O. S. D. N. Y. ; s. c. 3 Am. B. R. 353.  
 In re Gray et al., 98 Fed. 870, J. O. D. N. H.

**Subd. b**      In re Freund, 1 N. B. N. 105, R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
                  In re Meyer, et al. 1 N. B. N. 304, J. O. S. D. N. Y.  
                  In re Cameron Town Ins. Co., 1 N. B. N. 383, J. O. W. D. Mo.; s. c. 2 Am.  
                  B. R. 372; 96 Fed. 756.  
                  In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 Am. B. R. 117.; 94 Fed. 84.  
                  In re Coe et al 1 Am. B. R. 275, R. O. N. D. O.  
                  In re Collins, 2 Am. B. R. 1, R. O. S. D. Ia.  
                  In re Kenney 3 Am. B. R. 353, J. O. S. D. N. Y.; s. c. 97 Fed. 554.

**Subd. c**      In re Freund, 1 N. B. N. 105 R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
                  In re Coe et al. 1 N. B. N. 294, J. O. N. D. O.  
                  In re Meyers, 1 N. B. N. 304, J. O. N. D. N. Y.  
                  In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 Am. B. R. 117.; 94 Fed.  
                  84.  
                  Chemical National Bank vs. Meyer, 1 Am. B. R. 565, J. O. E. D. N. Y.; s. c.  
                  92 Fed. 896.  
                  In re Altman, 1 Am. B. R. 689, R. O. N. D. N. Y.; s. c. 1 N. B. N. 358.  
                  In re Kenney, 97 Fed. Rep. 554, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 353.  
                  In re Murray, 96 Fed. Rep. 600, J. O. N. D. Ia.

**Subd. d**      In re Freund, 1 N. B. N. 105, R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
                  In re Meyers, 1 N. B. N. 304, J. O. N. D. N. Y.  
                  In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 Am. B. R. 117.; 94 Fed.  
                  84.  
                  In re Altman, 1 Am. B. R. 689, R. O. N. D. N. Y.; s. c. 1 N. B. N. 358.  
                  In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 353.



**Subd. e** In re Freund, 1 N. B. N. 105, R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
 In re Meyers, 1 N. B. N. 304, J. O. N. D. N. Y.  
 In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 Am. B. R. 117.; 94 Fed. 84.  
 In re Altman, 1 Am. B. R. 689, R. O. N. D. N. Y.; s. c. 1 N. B. N. 358.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 353.

**Subd. f** In re Freund, 1 N. B. N. 105, R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
 In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 A. B. R. 117; 94 Fed. 84.  
 In re Meyers, 1 N. B. N. 304, J. O. N. D. N. Y.  
 In re Jones, et al. 2 N. B. N. 193, J. O. D. Mo.  
 In re Altman, 1 Am. B. R. 689, R. O. N. D. N. Y.; s. c. 1 N. B. N. 358.  
 In re Grimes, 2 Am. B. R. 160, J. O. W. D. N. C.  
 In re Mills, 2 Am. B. R. 667, J. O. D. Ind.; s. c. 95 Fed 269.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 353.

**Subd. g** In re Freund, 1 N. B. N. 105, R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
 In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 Am. B. R. 117.; 94 Fed. 84.  
 In re Meyer et al. 1 N. B. N. 304, J. O. N. D. N. Y.  
 In re Jones et al., 2 N. B. N. 193, J. O. D. Mo.  
 In re Altman, 1 Am. B. R. 689, R. O. N. D. N. Y.; s. c. 1 N. B. N. 358.  
 In re Mason, 2 Am. B. R. 60, R. O. D. R. I.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.; 3 Am. B. R. 353.

**Subd. h** In re Freund, 1 N. B. N. 105, R. O. N. D. Ia.; s. c. 1 Am. B. R. 25.  
 In re Wilcox, 1 N. B. N. 494, J. O. D. Mass.; s. c. 2 A. B. R. 117.; 94 Fed. 84.  
 In re Meyer, et al., 1 N. B. N. 304, J. O. E. D. N. Y.  
 In re Altman, 1 N. B. N. 358, R. O. N. D. N. Y.; s. c. 1 A. B. R. 689.  
 In re Mercur, 1 N. B. N. 527, J. O. E. D. Pa.; s. c. 2 A. B. R. 626.  
 In re Donnegan, 1 N. B. N. 526, J. O. D. Mass.; s. c. 95 Fed. 428.  
 In re Meyers, 2 N. B. N. 111, J. O. S. D. N. Y.; s. c. 2 Am. B. R. 707.  
 In re Hirsch, 2 N. B. N. 137, J. O. S. D. N. Y.  
 In re Laughlin, 3 A. B. R. 1, J. O. N. D. Ia.; s. c. 96 Fed. 589.  
 In re Murray, 3 A. B. R. 90, J. O. N. D. Ia.; s. c. 96 Fed. 600.  
 In re Russell, 3 A. B. R. 91, J. O. N. D. Ia.; s. c. 97 Fed. 32.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 353.

## SEC. 6

## Subd. a

- In re Lange, 1 N. B. N. 59, R. O. N. D. Ia.; s. c. 1 Am. B. R. 186.  
 In re Lange, 1 N. B. N. 60, J. O. N. Ia.; s. c. 1 Am. B. R. 189; 91 Fed. 36  
 In re Tilden, 1 N. B. N. 134, J. O. S. D. Ia.; s. c. 1 Am. B. R. 300; 91 Fed. 500.  
 In re Alfred, 1 N. B. N. 136, R. O. D. Vt.; s. c. 1 Am. B. R. 243.  
 In re Camp, 1 N. B. N. 142, J. O. N. D. Ga.; s. c. 1 Am. B. R. 165; 91 Fed. 745.  
 In re Hopkins, 1 N. B. N. 71, R. O. D. Ind.  
 In re Hopkins, 1 N. B. N. 164, J. O. D. Ind.  
 In re Lynch, 1 N. B. N. 182, R. O. W. D. Mo.; s. c. 1 Am. B. R. 245.  
 In re Garden, 1 N. B. N. 169, J. O. N. D. Ala.; s. c. 1 Am. B. R. 582.  
 In re Baker, 1 N. B. N. 212, R. O. S. D. Tex.; s. c. 1 Am. B. R. 526.  
 In re Peterson, 1 N. B. N. 215, R. O. E. D. Wis.; s. c. 1 Am. B. R. 254.  
 In re Brown, 1 N. B. N. 230, R. O. W. D. Pa.; s. c. 1 Am. B. R. 256.  
 In re Empire Metallic Bedstead Co., 1 N. B. N. 301, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 136.  
 In re Rennie, 1 N. B. N. 333, R. O. D. Ind. Ter.; s. c. 2 A. B. R. 182.  
 In re Woodard, 1 N. B. N. 385, J. O. E. D. N. C.; s. c. 2 Am. B. R. 339; 95 Fed. 260.  
 In re Woodruff, 1 N. B. N. 423, J. O. S. D. Ga.; s. c. 2 Am. B. R. 679; 96 Fed. 317.  
 In re Grimes, 1 N. B. N. 426, R. O. W. D. N. C.; s. c. 2 Am. B. R. 610.  
 In re Grimes, 1 N. B. N. 516, J. O. W. D. N. C.; s. c. 96 Fed. 529; 2 Am. B. R. 730.  
 In re Peterson, 1 N. B. N. 430, J. O. N. D. Cal.; s. c. 2 Am. B. R. 630; 95 Fed. 417.  
 In re Sisler, 1 N. B. N. 471, J. O. W. D. Va.; s. c. 96 Fed. 402; 2 Am. B. R. 760.  
 In re Dawley, 1 N. B. N. 482, R. O. D. Vt.  
 In re Richards, 1 N. B. N. 487, J. O. E. D. N. C.; s. c. 2 Am. B. R. 506; 94 Fed. 635.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 95 Fed. 536.  
 In re Brown, 1 N. B. N. 511, J. O. W. D. Pa.  
 In re Harrington, 1 N. B. N. 513, R. O. E. D. Tex.  
 In re Stevenson, 1 N. B. N. 531, J. O. E. D. N. C.; s. c. 93 Fed. 789; 2 Am. B. R. 230.  
 In re Thomas, 1 N. B. N. 551, J. O. D. Wash.; s. c. 3 Am. B. R. 99.  
 In re Griffith, 1 N. B. N. 546, R. O. E. D. Tenn.  
 In re Dawley, 1 N. B. N. 528, J. O. D. Vt.; s. c. 2 Am. B. R. 496; 94 Fed. 795.  
 In re Daubner, 1 N. B. N. 520, J. O. D. Ore.; s. c. 96 Fed. 805.  
 In re Boston, 2 N. B. N. 19, R. O. D. Neb.  
 In re Boston, 2 N. B. N. 20, J. O. D. Neb.; s. c. 98 Fed. 587.  
 In re Buelow, 2 N. B. N. 26, R. O. D. Wash.  
 In re Eggert, 2 N. B. N. 44, R. O. D. Wash.  
 In re Bragg, 2 N. B. N. 82, R. O. S. D. Ala.  
 In re Eastman, 2 N. B. N. 86, R. O. D. Vt.  
 In re Lentz, 2 N. B. N. 190, J. O. D. S. Da.; s. c. 97 Fed. 486.  
 In re Becker, 2 N. B. N. 202, R. O. E. D. Pa.  
 In re Ross, 2 N. B. N. 218, R. O. E. D. Wash.  
 In re Buelow, 2 N. B. N. 230, J. O. D. Wash.  
 In re Morris, 2 N. B. N. 260, R. O. S. D. Ga.  
 In re Jones, 2 N. B. N. 296, J. O. E. D. Wis.; s. c. 97 Fed. 773; 3 Am. B. R. 239.  
 In re O'Brien, 2 N. B. N. 312, R. O. N. D. N. Y.  
 In re Coffman, 1 Am. B. R. 530, J. O. N. D. Tex.; s. c. 93 Fed. 422.  
 In re Miller, 1 Am. B. R. 647, R. O. W. D. Mo.  
 In re Hatch, 2 Am. B. R. 36, R. O. E. D. Mich.  
 In re Grimes, 2 Am. B. R. 160, J. O. W. D. N. C.; s. c. 94 Fed. 800.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5; s. c. 94 Fed. 801.  
 In re Nelson, 2 Am. B. R. 556, J. O. W. D. Mo.  
 In re Overstreet, 2 Am. B. R. 486, R. O. E. D. Ark.  
 In re Woodard, 2 Am. B. R. 692, J. O. E. D. N. C.; s. c. 95 Fed. 955.

In re Hill, 2 Am. B. R. 798, J. O. N. D. Ga.

In re Smith, 3 Am. B. R. 140, J. O. W. D. Tex.; s. c. 93 Fed. 791; 2 Am. B. R. 190.

In re Hoag, 3 Am. B. R. 290, J. O. W. D. Wis.

In re Collier, 93 Fed. 191, J. O. W. D. Tenn.

In re Hill et al., 96 Fed. 185, J. O. N. D. Ga.

In re Barrow, 98 Fed. 582, J. O. W. D. Va.

**SEC. 7****Subd. a**

- Cl. 1** In re Parker, 1 N. B. N. 261, R. O. D. Kan. ; s. c. 1 Am. B. R. 615.  
 In re Pauly, 1 N. B. N. 405, R. O. N. D. N. Y.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wis.
- Cl. 2** In re Abrahamson, 1 N. B. N. 23, R. O. N. D. N. Y.  
 In re Peters, 1 N. B. N. 165, R. O. D. Mass. ; s. c. 1 Am. B. R. 248.  
 In re Rossier, 96 Fed. 308, J. O. E. D. Mo.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wis.
- Cl. 3** In re Michel, 95 Fed. 803, J. O. E. D. Wis.
- Cl. 4** In re Michel, 95 Fed. 803, J. O. E. D. Wis.
- Cl. 5** In re Fisher, 2 N. B. N. 221, J. O. D. Mass.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wis.  
 In re Tudor, 96 Fed. 904, J. O. D. Colo.
- Cl. 6** In re Michel, 95 Fed. 803, J. O. E. D. Wis.
- Cl. 7** In re Ankeny, 2 N. B. N. 349, J. O. N. D. Ia.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wis.
- Cl. 8** In re Resler, 1 N. B. N. 280, R. and J. O. N. D. Minn. ; s. c. 95 Fed. 804.  
 In re Harris, 1 N. B. N. 384, R. O. N. D. Ill. ; s. c. 2 Am. B. R. 359.  
 In re Ogles, 1 N. B. N. 400, R. O. W. D. Tenn. ; s. c. 2 Am. B. R. 514.  
 In re Pauly, 1 N. B. N. 405, R. O. N. D. N. Y.  
 In re Nunn, 1 N. B. N. 427, R. O. S. D. Ga. ; s. c. 2 Am. B. R. 664.  
 In re Walker, 1 N. B. N. 511, J. O. D. N. Dak. ; s. c. 96 Fed. 450.  
 In re Averill, 1 N. B. N. 544, R. O. N. D. Ohio.  
 In re Kross, 1 N. B. N. 566, J. O. S. D. N. Y. ; s. c. 3 Am. B. R. 187.  
 In re Oliver, 2 N. B. N. 212, R. O. W. D. Mo.  
 In re Mackay, 1 Am. B. R. 593, R. O. N. D. N. Y.  
 In re Brumelkamp, 2 Am. B. R. 318, R. and J. O. N. D. N. Y.  
 In re McNamara, 2 Am. B. R. 566, R. O. N. D. N. Y.  
 In re Schiller, 2 Am. B. R. 704, J. O. W. D. Va. ; s. c. 96 Fed. 400.  
 In re Hirsch, 2 Am. B. R. 715, J. O. W. D. Tenn. ; s. c. 96 Fed. 468.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wis.

**Cl. 9**

In re Price, 1 N. B. N. 131, J. O. S. D. N. Y.; s. c. 1 Am. B. R. 219.; 91 Fed. 635,  
 In re Scott, 1 N. B. N. 161, J. O. W. D. Pa.; s. c. 1 Am. B. R. 49.; 95 Fed. 515.  
 In re Peters, 1 N. B. N. 165, R. O. D. Mass.  
 In re Soper, 1 N. B. N. 182, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 193.  
 In re Hathorn, 1 N. B. N. 361, R. O. E. D. La.; s. c. 2 Am. B. R. 298.  
 In re Ogles, 1 N. B. N. 400, R. O. W. D. Tenn.  
 In re Rosser, 1 N. B. N. 469, J. O. E. D. Mo.; s. c. 2 Am. B. R. 755; 96 Fed. 305.  
 In re Post, 1 N. B. N. 527, R. O. E. D. Mich.  
 In re Fixen, 1 N. B. N. 568, J. O. S. D. Cal.; s. c. 2 Am. B. R. 822; 96 Fed. 748.  
 In re Millen, 2 N. B. N. 69, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 226.  
 In re Tudor, 2 N. B. N. 163, J. O. D. Colo.; s. c. 96 Fed. 942.  
 In re Schlesinger, 2 N. B. N. 169, J. O. S. D. N. Y.  
 In re Berner, 2 N. B. N. 268, R. O. N. D. Ohio.  
 In re Abrahamson, 1 Am. B. R. 44, R. O. N. D. N. Y.  
 In re Sapiro, 1 Am. B. R. 296, R. O. E. D. Wis.  
 In re Hayden, 1 Am. B. R. 670, J. O. S. D. N. Y.  
 In re Rosser (II.), 2 Am. B. R. 746, J. O. E. D. Mo.  
 In re Sapiro, 92 Fed. 340, J. O. D. Wis.  
 In re Jehu et al., 94 Fed. 638 J. O. N. D. Ia.; s. c. 2 Am. B. R. 498.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wis.  
 In re Walker, 96 Fed. 550, J. O. D. N. Dak.  
 In re Mellen, 97 Fed. 326, J. O. S. D. N. Y.

**SEC. 8****Subd. a**

In re Parker, 1 N. B. N. 140, R. O. D. Kan; s. c. 1 Am. B. R. 615; 1 N. B. N. 261.

**SEC. 9****Subd. a****Cl. 1**

In re Summers, 1 N. B. N. 160, J. O. N. D. N. Y.  
 In re Grist, 1 Am. B. R. 89, R. O. N. D. N. Y.  
 Scott vs. McAleese, 1 Am. B. R. 650, C. C. A. 3.  
 In re Houston, 2 Am. B. R. 107, J. O. D. Ky; s. c. 94 Fed. 119.

**Cl. 2** In re Graham, 1 N. B. N. 59, J. O. S. D. Mich.  
In re Baker, 1 N. B. N. 547, J. O. D. Kan.; s. c. 3 Am. B. R. 101; 96 Fed. 954.

**Subd. b** In re Lipke, 2 N. B. N. 347, J. O. S. D. N. Y.

## SEC. 10

**Subd. a**

## SEC. 11

**Subd. a** In re Sabine, 1 N. B. N. 45, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 315.  
Lea vs. West, 1 N. B. N. 79, J. O. E. D. Va.  
In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.  
In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.  
In re Holloway, 1 N. B. N. 264, J. O. D. Ky.; s. c. 1 Am. B. R. 659; 93 Fed. 638.  
In re Meyers, 1 N. B. N. 293, R. O. N. D. N. Y.  
In re Globe Cycle Works, 1 N. B. N. 420, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 147.  
In re Smith, 1 N. B. N. 471, R. O. N. D. N. Y.; s. c. 3 Am. B. R. 67.  
In re Pearson, 1 N. B. N. 474, R. O. E. D. Pa.; s. c. 2 Am. B. R. 819.  
In re Kimball, 1 N. B. N. 515, J. O. W. D. Pa.; s. c. Am. B. R. 161.  
Porter vs. Cummings, 1 N. B. N. 520, J. O. Sup. Ct., Ga.  
In re Challoner, 2 N. B. N. 105, J. O. N. D. Ill.  
In re Basch, 2 N. B. N. 122, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 235; 97 Fed. 761.  
In re Geister, 2 N. B. N. 297, J. O. N. D. Ia.; s. c. 3 Am. B. R. 228; 97 Fed. 322.  
In re McNamara, 2 N. B. N. 341, R. O. N. D. N. Y.  
Continental National Bank vs. Katz, 1 Am. B. R. 19, Sup. Ct. Ill.  
Reed vs. Cross, 1 Am. B. R. 34, Sup. Ct. Ill.  
In re DeLong, 1 Am. B. R. 66, R. O. N. D. N. Y.  
In re Grist, 1 Am. B. R. 89, R. O. N. D. N. Y.  
In re Adams, 1 Am. B. R. 94, R. O. N. D. N. Y.  
In re Haensell, 1 Am. B. R. 286, J. O. N. D. Cal.; s. c. 91 Fed. 355.  
In re McKee, 1 Am. B. R. 311, Co. Ct. St. Ky.  
In re Gutwillig, 1 Am. B. R. 388, C. C. A. 2; s. c. 92 Fed. 337.  
In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.  
In re Kletchka, 1 Am. B. R. 479, J. O. S. D. N. Y.; s. c. 92 Fed. 901.  
Mather vs. Coe, 1 Am. B. R. 504, J. O. N. D. O.  
In re Rogers, 1 A. Bm. R. 541, R. O. D. Ky.  
Scott vs. McAleese, 1 Am. B. R. 650, C. C. A. 3  
Victor et al. vs. Lewis et. al., 1 Am. B. R. 667, App. Div. N. Y. Sup. Ct.  
In re Ogles, 1 Am. B. R. 671, J. O. W. D. Tenn.  
In re Sullivan, 2 Am. B. R. 30, R. O. N. D. N. Y.  
In re Buntrock, 2 Am. B. R. 96, J. O. N. D. Ia.  
In re Houston, 2 Am. B. R. 107, J. O. D. Ky.  
In re Kenney, 2 Am. B. R. 494, J. O. S. D. N. Y.; s. c. 1 N. B. N. 401.  
In re Jackson, 2 Am. B. R. 501, J. O. D. Vt.  
Kelgan vs. King, 3 Am. B. R. 79, J. O. D. Ind.  
In re Heinsfurter, 3 Am. B. R. 109, J. O. S. D. Ga.  
Southern Loan & Trust Co. vs. Benbow, 3 Am. B. R. 9, J. O. W. D. N. C.  
In re Skinner, 3 Am. B. R. 163, J. O. W. D. Ia.  
In re Richards, 3 Am. B. R. 145, C. C. A. 7; s. c. 96 Fed. 935.  
Blake vs. Francis, 89 Fed. 691, J. O. N. D. Cal.  
In re Sievers, 91 Fed. 366, J. O. E. D. Mo.  
In re Brown, 91 Fed. 358, J. O. D. Ore.

In re Nathan, 92 Fed. 590, J. O. D. Nev.  
In re Pittelkow, 92 Fed. 901, J. O. E. D. Wis.  
In re Easley, 93 Fed. 419, J. O. W. D. Va.  
Heath vs. Shaffer, 93 Fed. 647, J. O. N. D. Ia.  
Camp vs. Zellars, 94 Fed. 799, C. C. A. 5.  
In re Anderson, 97 Fed. 321, J. O. S. D. N. Y.

**Subd. b** In re Adams, 1 Am. B. R. 94, R. O. N. D. N. Y.  
 In re Haensell, 1 Am. B. R. 286, J. O. N. D. Cal.  
 In re Sievers, 91 Fed. 366, J. O. E. D. Mo.  
 In re Price, 92 Fed. 987, J. O. S. D. N. Y.; s. c. 1 Am. B. R. 606.

**Subd. c** In re McNamara, 2 N. B. N. 341, R. O. N. D. N. Y.  
 In re Adams, 1 Am. B. R. 94, R. O. N. D. N. Y.  
 In re Haensell, 1 Am. B. R. 286, J. O. N. D. Cal.  
 In re Price, 1 Am. B. R. 606, J. O. S. D. N. Y.; s. c. 92 Fed. 987.  
 In re Sievers, 91 Fed. 366, J. O. E. D. Mo.

**Subd. d**

## SEC. 12

**Subd. a** In re Sullivan, 1 N. B. N. 380, R. O. N. D. N. Y.  
 In re Rider, 1 N. B. N. 483, R. O. N. D. N. Y.  
 In re Rudnick, 2 Am. B. R. 114, J. O. D. Mass.  
 In re Rider, 3 Am. B. R. 178, J. O. N. D. N. Y.; s. c. 96 Fed. 808.

**Subd. b** In re Sievers, 1 N. B. N. 69, J. O. E. D. Mo.  
 In re Rider, 1 N. B. N. 483, R. O. N. D. N. Y.  
 In re Walker, 1 N. B. N. 510, J. O. D. N. Dak.; s. c. 3 Am. B. R. 35.

**Subd. c** In re Sievers, 1 N. B. N. 69, J. O. E. D. Mo.

**Subd. d**

**Cl. 1** In re Rider, 1 N. B. N. 483, R. O. N. D. N. Y.  
 In re Rudnick, 93 Fed. 787, J. O. D. Mass.; s. c. 1 N. B. N. 531.

**Cl. 2**

**Cl. 3**

**Subd. e**

## SEC. 13

**Subd. a** In re Rider, 1 N. B. N. 483, R. O. N. D. N. Y.  
 In re Rudnick, 1 N. B. N. 531, J. O. D. Mass.; s. c. 2 Am. B. R. 114; 93 Fed. 787.



**SEC. 14**

- Subd. a**
- In re Jefferson, 1 N. B. N. 289, J. O. D. Ky.; s. c. 2 Am. B. R. 205; 93 Fed. 848.
- In re Schreck, 1 N. B. N. 334, R. O. N. D. N. Y.
- In re Marshall Co., 1 N. B. N. 407, S. O. D. Mass.; a. c. 2 Am. B. R. 653; 95 Fed. 419.
- In re Rudnick, 1 N. B. N. 531, J. O. D. Mass.; a. c. 2 Am. B. R. 114; 93 Fed. 787.
- In re Webb, 2 N. B. N. 14, R. O. N. D. N. Y.; a. c. 3 Am. B. R. 204.
- In re Boasberg, 1 Am. B. R. 353, R. O. N. D. N. Y.
- In re Hixon, 1 Am. B. R. 610, J. O. S. D. Ia.
- In re Parker, 1 Am. B. R. 615, R. O. D. Kan.
- In re Clisdell 2 Am. B. R. 424, R. O. N. D. N. Y.
- In re Rennie, 2 Am. B. R. 182, R. O. S. D. Ind. Ter.; a. c. 1 N. B. N. 335.
- In re Mason, 99 Fed. 256, J. O. W. D. N. C.

**Subd. b**

- Cl. 1**
- In re Grimes, 1 N. B. N. 12, J. O.
- In re King, 1 N. B. N. 12, J. O.
- In re Thomas, 1 N. B. N. 329, J. O. S. D. Ia.; s. c. 1 Am. B. R. 515; 92 Fed. 912.
- In re Price, 1 N. B. N. 432, J. O. S. D. Ia.; s. c. 2 Am. B. R. 674; 96 Fed. 611.
- In re Meyers, 1 N. B. N. 516, J. O. S. D. N. Y.; s. c. 2 Am. B. R. 707.
- In re Holman, 1 N. B. N. 553, J. O. S. D. Ia.; s. c. 92 Fed. 512.
- In re Hixon, 1 N. B. N. 326, J. O. S. D. Ia.; s. c. 1 Am. B. R. 610; 93 Fed. 440.
- In re May, 2 N. B. N. 93, R. O. W. D. Pa.
- In re Kaiser, 2 N. B. N. 123, R. & J. O. D. Minn.
- In re Berner, 2 N. B. N. 268, R. O. N. D. Ohio.
- In re Deitz, 2 N. B. N. 125, J. O. S. D. N. Y.
- In re McBride, 2 N. B. N. 345, J. O. E. D. N. C.
- In re Petera, 1 Am. B. R. 248, R. O. D. Mass.
- In re Polakoff, 1 Am. B. R. 358, R. O. N. D. N. Y.
- In re Schreck, 1 Am. B. R. 366, R. O. N. D. N. Y.; s. c. 1 N. B. N. 334.
- In re Cohn, 1 Am. B. R. 655, R. O. N. D. Mo.
- In re Lowenstein, 2 Am. B. R. 193, R. and J. O. S. D. N. Y.
- Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.; s. c. 94 Fed. 801.
- In re Rhutassel, 2 Am. B. R. 697, J. O. N. D. Ia.; s. c. 96 Fed. 597.
- In re Walther, 2 Am. B. R. 702, J. O. E. D. N. Y.
- In re Hirsch, 2 Am. B. R. 715, J. O. W. D. Tenn.
- In re Idzall, 2 Am. B. R. 741, J. O. S. D. Ia.

In re Welse, 3 Am. B. R. 93, J. O. N. D. Ohio.  
 In re Skinner, 3 Am. B. R. 163, J. O. N. D. Ia.  
 In re Marshall Co., 95 Fed. 419, J. O. D. Mass.  
 In re Heyman, 97 Fed. 195, J. O. S. D. N. Y.  
 In re Black, 97 Fed. 493, J. O. N. D. Cal.  
 In re O'Gara, 97 Fed. 932, J. O. D. Ore.

**Cl. 2**

In re Boasberg, 1 N. B. N. 133, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 353.  
 In re Holtz, 1 N. B. N. 204, J. O. S. D. N. Y.  
 In re Stark, 1 N. B. N. 232, R. O. S. D. N. Y.; s. c. 1 Am. B. R. 180.  
 In re Polakoff, 1 N. B. N. 232, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 358.  
 In re Dews, 1 N. B. N. 411, J. O. D. R. I.; s. c. 2 Am. B. R. 483; 96 Fed. 181.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 96 Fed. 536.  
 In re Holman, 1 N. B. N. 553, J. O. S. D. Ia.; s. c. 1 Am. B. R. 600.  
 In re Rhutassel, 1 N. B. N. 572, R. O. S. D. Ia.  
 In re Ramberger, 2 N. B. N. 95, R. O. S. D. N. Y.  
 In re Webb, 2 N. B. N. 286, J. O. N. D. N. Y.; s. c. 98 Fed. 404.  
 In re Schreck, 1 Am. B. R. 366, R. O. N. D. N. Y.  
 In re Cohn, 1 Am. B. R. 655, R. O. W. D. Mo.  
 In re Schorer, 2 Am. B. R. 165, J. O. D. Conn.; s. c. 96 Fed. 90.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
 In re McNamara, 2 Am. B. R. 566, R. O. S. D. N. Y.  
 In re Rhutassel, 2 Am. B. R. 697, J. O. N. D. Ia.; s. c. 96 Fed. 597.  
 In re Hirsch, 2 Am. B. R. 715, J. O. W. D. Tenn.; s. c. 97 Fed. 571.  
 In re Idzall, 2 Am. B. R. 741, J. O. S. D. Ia.; s. c. 96 Fed. 314.  
 In re Stark, 2 Am. B. R. 785, J. O. S. D. N. Y.; s. c. 96 Fed. 88.  
 In re Basch, 97 Fed. 761, J. O. N. D. Ia.  
 In re Roy 96 Fed. 400, J. O. D. Vt.  
 In re Crenshaw, 95 Fed. 632, J. O. S. D. Ala.  
 In re Cornell, 97 Fed. 29, J. O. S. D. N. Y.  
 In re Skinner, 97 Fed. 190, J. O. N. D. Ia.  
 In re Carmichael, 2 Am. B. R. 615, J. O. N. D. Ia.

In re Hyman, 3 Am. B. R. 169, J. O. S. D. N. Y.; s. c. 97 Fed. 195.  
 In re Lieber, 3 Am. B. R. 217, R. O. E. D. Pa.  
 In re McAdam, 98 Fed. 409, J. O. S. D. N. Y.  
 In re Philipps, 98 Fed. 844, J. O. S. D. N. Y.  
 In re Holman, 92 Fed. 512, J. O. S. D. Ia.  
 In re Hartman, 96 Fed. 594, J. O. N. D. Ia.  
 In re Meyers, 96 Fed. 408, J. O. S. D. N. Y.  
 In re Black, 97 Fed. 493, J. O. N. D. Cal.  
 In re Hirsch, 96 Fed. 463, J. O. W. D. Tenn.  
 In re Blumberg, 94 Fed. 476, R. and J. O. E. D. Tenn.  
 In re Freund, 98 Fed. 81, J. O. S. D. N. Y.  
 In re DeLeeuw, 98 Fed. 408, J. O. S. D. N. Y.

**Subd. c** In re Lieber, 2 N. B. N. 21, J. O. E. D. Pa.

## **SEC. 15**

**Subd. a** In re Rudnick, 1 N. B. N. 276, J. O. D. Mass.; s. c. 2 Am. B. R. 114; 93  
 Fed. 787.  
 In re Oliver, 2 N. B. N. 212, R. O. W. D. Mo.  
 In re Peters, 1 Am. B. R. 248, R. O. D. Mass.  
 In re Deitz, 3 Am. B. R. 316, J. O. S. D. N. Y.

**SEC. 16****Subd. a****Cl. 1**

In re De Long, 1 N. B. N. 26, R. O. N. D. N. Y.  
 Smith vs. Steinberg, 1 N. B. N. 240, J. O. D. Mass.  
 In re Marshall Co., 1 N. B. N. 407, J. O. D. Mass.; s. c. 2 Am. B. R. 653; 95 Fed. 419.  
 In re Freund, 1 Am. B. R. 25, R. O. N. D. Ia.

**SEC. 17****Subd. a****Cl. 1**

In re Anderson, 1 N. B. N. 48, J. O. D. Md.  
 In re O'Donnell, 1 N. B. N. 59, J. O. D. Mass.  
 In re Rogers, 1 N. B. N. 211, R. O. D. Ky.  
 In re Blumberg, 1 N. B. N. 258, R. O. E. D. Tenn.  
 In re Jefferson, 1 N. B. N. 289, J. O. D. Ky.; s. c. 2 Am. B. R. 206; 98 Fed. 948.  
 In re Woodard, 1 N. B. N. 385, J. O. E. D. N. C.; s. c. 2 Am. B. R. 339; 95 Fed. 260.  
 In re Smith, 1 N. B. N. 471, R. O. N. D. N. Y.; s. c. 3 Am. B. R. 67.  
 In re Sisler, 1 N. B. N. 472, J. O. W. D. Va.; s. c. 2 Am. B. R. 760; 96 Fed. 402.  
 In re Van Orden, 1 N. B. N. 475, J. O. D. N. J.; s. c. 2 Am. B. R. 801; 96 Fed. 86.  
 In re Rhutassel, 1 N. B. N. 572, J. O. N. D. Ia.; s. c. 2 Am. B. R. 697; 96 Fed. 597.  
 In re Houston, 1 N. B. N. 305, J. O. D. Ky.; s. c. 94 Fed. 121.  
 In re Marshall Co., 1 N. B. N. 407, J. O. D. Mass.  
 In re Baker, 1 N. B. N. 547, J. O. D. Kan.; s. c. 3 Am. B. R. 101.  
 In re Nahler, 2 N. B. N. 71, R. O. E. D. Mich.  
 In re Freund, 1 Am. B. R. 25, R. O. N. D. Ia.  
 In re Scott, 1 Am. B. R. 553, J. O. N. D. Tex.  
 In re Sullivan, 2 Am. B. R. 30, R. O. N. D. N. Y.  
 Bean vs. Justice, 2 Am. B. R. 163, Sup Ct. Mass.  
 In re Levy, 2 Am. B. R. 21, R. O. N. D. N. Y.  
 In re Levy, 2 Am. B. R. 29, J. O. N. D. N. Y.  
 Mutual Reserve vs Beatty, 2 Am. B. R. 244, C. C. A. 9.  
 In re Laughlin, 3 Am. B. R. 1, J. O. N. D. Ia.; s. c. 96 Fed. 539.  
 In re Lewis, 91 Fed. 632, J. O. S. D. N. Y.  
 In re Thomas, 92 Fed. 912, J. O. S. D. Ia.  
 In re Blumberg, 94 Fed. 476, J. O. E. D. Tenn.

**Cl. 2**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Thomas, 1 N. B. N. 329, J. O. S. D. Ia.; s. c. 1 Am. B. R. 515.  
 In re Sullivan, 1 N. B. N. 360, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 30.  
 In re Sisler, 1 N. B. N. 472, J. O. W. D. Va.; s. c. 96 Fed. 402.  
 In re Lazarovic, 1 Am. B. R. 476, R. O. D. Kan.  
 Packer vs. Whittier, 1 Am. B. R. 621, C. C. A. 1.; s. c. 91 Fed. 511.  
 In re Blumberg, 1 Am. B. R. 627, R. O. E. D. Tenn.  
 In re Houston, 2 Am. B. R. 107, J. O. D. Ky.  
 In re Carmichael, 2 Am. B. R. 815, J. O. N. D. Ia.; s. c. 96 Fed. 594.  
 In re Woodard, 95 Fed. 260, J. O. E. D. N. C.  
 In re Van Orden, 96 Fed. 96, J. O. D. N. J.  
 In re Rhutassel, 96 Fed. 597, J. O. N. D. Ia.  
 In re Baker, 96 Fed. 964, J. O. D. Kan.  
 In re Blumberg, 94 Fed. 476, J. O. E. D. Tenn.

**Cl. 3**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. Am. B. R. 206.  
 In re Post, 1 N. B. N. 294, R. O. N. D. Ohio.  
 In re Sisler, 1 N. B. N. 472, R. O. D. Kan.  
 In re Lazarovic, 1 Am. B. R. 476, R. O. D. Kan.  
 In re Thomas, 1 Am. B. R. 515, J. O. S. D. Ia.  
 Packer vs. Whittier, 1 Am. B. R. 621, C. C. A. 1.; s. c. 91 Fed. 511.  
 In re Blumberg, 1 Am. B. R. 627, R. O. E. D. Tenn.  
 In re Jefferson, 2 Am. B. R. 206, J. O. D. Ky.  
 In re Blumberg, 94 Fed. 476, J. O. E. D. Tenn.  
 In re Woodard, 95 Fed. 260, J. O. E. D. N. C.  
 In re Van Orden, 96 Fed. 86, J. O. D. N. J.  
 In re Sisler, 96 Fed. 402, J. O. W. D. Va.  
 In re Rhutassel, 96 Fed. 597, J. O. N. D. Ia.  
 In re Baker, 96 Fed. Rep. 954, J. O. D. Kan.

**Cl. 4**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Sisler, 1 N. B. N. 472, J. O. W. D. Va.; s. c. 96 Fed. 402.  
 In re Lazarovic, 1 Am. B. R. 476, R. O. D. Kan.  
 In re Thomas, 1 Am. B. R. 515, J. O. S. D. Ia.  
 Packer vs. Whittler, 1 Am. B. R. 621, C. C. A. 1.; s. c. 91 Fed. 511.  
 In re Blumburg, 1 Am. B. R. 627, R. O. E. D. Tenn.  
 Claffin vs. Easton, 2 Am. B. R. 263, R. O. E. D. Tex.  
 In re Basch, 3 Am. B. R. 235, J. O. S. D. N. Y.; s. c. 97 Fed. 761.  
 In re Blumberg, 94 Fed. 476, J. O. E. D. Tenn.  
 In re Woodard, 95 Fed. 260, J. O. E. D. N. C.  
 In re Van Orden, 96 Fed. 86, J. O. D. N. J.  
 In re Rhutassel, 96 Fed. 597, J. O. N. D. Ia.  
 In re Baker, 96 Fed. 954, J. O. D. Kan.

## CHAPTER IV.

### Courts and Procedure Therein.

#### SEC. 18

- Subd. a**      In re Stevenson, 1 N. B. N. 213, J. O. D. Del.; s. c. 95 Fed. 110.  
                  In re Murray, 1 N. B. N. 510, J. O. N. D. Ia.; s. c. 96 Fed. 600.  
                  In re Scherman, 2 N. B. N. 118, R. O. E. D. Mo.  
                  In re Basch, 2 N. B. N. 122, J. O. S. D. N. Y.  
                  In re Simonson, et al. 1 Am. B. R. 197, J. O. D. Ky.; s. c. 92 Fed. 904.  
                  In re Lewis, 1 Am. B. R. 456, J. O. S. D. N. Y.  
                  In re Altman, 1 Am. B. R. 689, R. O. N. D. N. Y.  
                  In re Strait, 2 Am. B. R. 308, J. O. N. D. N. Y.  
                  In re Leidigh Carriage Co., 2 Am. B. R. 363, C. C. A. 6.
- Subd. b.**      Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.  
                  In re Simonson et al., 1 Am. B. R. 197, J. O. D. Ky.; s. c. 1 N. B. N. 230;  
                  92 Fed. 904.  
                  Goldman vs. Smith, 1 Am. B. R. 266, J. O. D. Ky.; s. c. 93 Fed. 182.  
                  In re Ogles, 1 Am. B. R. 671, J. O. W. D. Tenn.  
                  Leidigh Carriage Co. vs. Stengel, 95 Fed. 637, C. C. A. 6.
- Subd. c**      In re Nelson, 1 N. B. N. 567, J. O. W. D. Wis.  
                  In re Simonson, 1 Am. B. R. 197, J. O. D. Ky.; s. c. 92 Fed. 904.  
                  In re Brummelkamp, 2 Am. B. R. 318, R. & J. O. N. D. N. Y.  
                  Leidigh Carriage Co. vs. Stengel, 2 Am. B. R. 383, C. C. A. 6.; s. c. 95 Fed. 637.  
                  In re Crenshaw, 2 Am. B. R. 623, J. O. S. D. Ala.
- Subd. d**      In re Simonson, 1 Am. B. R. 197, J. O. D. Ky.; s. c. 92 Fed. 904.  
                  Goldman v. Smith, 93 Fed. 182, J. O. D. Ky.
- Subd. e**      In re Simonson, 1 N. B. N. 230, J. O. D. Ky.; s. c. 1 Am. B. R. 197; 92 Fed.  
                  Rep. 904.
- Subd. f**      In re Polakoff, 1 Am. B. R. 358, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 358.  
                  In re Murray, 96 Fed. 600, J. O. N. D. Ia.

- Subd. g** In re Polakoff, 1 N. B. N. 232, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 358.  
 In re Waxelbaum, 2 N. B. N. 228, J. O. S. D. N. Y.  
 In re Kindt, 98 Fed. 403, J. O. S. D. Ia.

## SEC. 19

- Subd. a** Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153; 91 Fed. 102.  
 In re Murray 1 N. B. N. 570, J. O. N. D. Ia.; s. c. 96 Fed. 600.  
 In re Kindt, 2 N. B. N. 306, J. O. S. D. Ia.  
 Packer vs. Whittier, 1 Am. B. R. 621, C. C. A. 1.; s. c. 91 Fed. 511.  
 In re Cliffe, 2 Am. B. R. 317, J. O. E. D. Pa.

**Subd. b**

**Subd. c**

## SEC. 20

**Subd. a**

- Cl. 1** In re Kimball, 2 N. B. N. 46, R. O. D. Mass.  
 In re Kindt, 2 N. B. N. 339, J. & R. O. S. D. Ia.  
 In re Sugeneheimer, 1 Am. B. R. 425, J. O. S. D. N. Y.  
 In re Howard, 2 Am. B. R. 582, J. O. N. D. Cal.

- Cl. 2** In re Kindt, 2 N. B. N. 339, J. & R. O. S. D. Ia.

- Cl. 3** In re Sugeneheimer, 1 N. B. N. 596, J. O. S. D. N. Y.; s. c. 91 Fed. 144.  
 In re Kindt, 2 N. B. N. 339, R. O. S. D. Ia.

**Subd. b**

## SEC. 21

- Subd. a** In re Howard, 1 N. B. N. 488, J. O. N. D. Cal.; s. c. 95 Fed. 415.  
 In re Walker, 1 N. B. N. 510, J. O. D. N. Dak.; s. c. 3 Am. B. R. 35; 96 Fed. 550.  
 In re Post, 1 N. B. N. 527, R. O. E. D. Mich.  
 In re Walton, 1 N. B. N. 533, J. O. E. D. N. Y.  
 In re Griffith, 1 N. B. N. 546, R. O. E. D. Tenn.  
 In re Jefferson, 1 N. B. N. 558, J. O. D. Wash.; s. c. 3 Am. B. R. 174; 96 Fed. 826.  
 In re Fixen, 1 N. B. N. 569, J. O. S. D. Cal.; s. c. 2 Am. B. R. 822; 96 Fed. 748.  
 In re Forest, 1 Am. B. R. 259, J. O. S. D. N. Y.; s. c. 93 Fed. 190.  
 In re Hayden, 1 Am. B. R. 670, J. O. S. D. N. Y.



In re Jehu, 2 Am. B. R. 498, J. O. N. D. Ia.; s. c. 94 Fed. 638.  
 In re Mayer, 3 Am. B. R. 222, J. O. E. D. Wis.; s. c. 97 Fed. 328.  
 In re Millen, 3 Am. B. R. 226, J. O. S. D. N. Y.  
 In re Horgan, 3 Am. B. R. 253, C. C. A. 2; s. c. 98 Fed. 414.  
 In re Cliffe, 3 Am. B. R. 257, J. O. E. D. Pa.; s. c. 97 Fed. 540.  
 In re Fowler, 93 Fed. 417, J. O. W. D. Wis.

**Subd. b**

**Subd. c**

**Subd. d**

**Subd. e**

**Subd. f**

**Subd. g**

**Subd. h**

## **SEC. 22**

**Subd. a**

**CL. 1**

**CL. 2**

**Subd. b**

## **SEC. 23**

**Subd. a**

In re Sievers, 1 N. B. N. 67, J. O. E. D. Mo.; s. c. 1 Am. B. R. 117.  
 In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.; s. c. 1 Am. B. R. 160.  
 In re Curtis, 1 N. B. N. 163, J. O. S. D. Ill.  
 In re Fowler, 1 N. B. N. 215, R. O. D. Conn.  
 In re Pittelkow, 1 N. B. N. 234, J. O. E. D. Wis.  
 In re Kerski, 1 N. B. N. 326, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Knost, 1 N. B. N. 336, J. O. S. D. Ohio.

In re Pearson, 1 N. B. N. 474, R. O. E. D. Pa.  
 In re Jackson, 1 N. B. N. 531, J. O. D. Vt.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.; s. c. 97 Fed. 188.  
 Robinson vs. White, 1 N. B. N. 513, J. O. D. Ind.; s. c. 97 Fed. 33.  
 In re Newberry, 2 N. B. N. 56, J. O. W. D. Mich.  
 In re Gerdes, 2 N. B. N. 131, R. O. S. D. Ohio.  
 In re Woodbury, 2 N. B. N. 248, J. O. D. N. Dak.  
 Schultz vs. First National Bank, 2 N. B. N. 326, J. O. D. Ind.  
 Mitchell vs. McClure et al. 1 Am. B. R. 53, J. O. W. D. Pa.; s. c. 91 Fed. 621.  
 In re Gutwillig, 1 Am. B. R. 78, J. O. S. D. N. Y.  
 Carter vs. Hobbs, 1 Am. B. R. 215, J. O. D. Ind.  
 Burnett vs. Morris Co., 1 Am. B. R. 239, J. O. D. Ore.; s. c. 91 Fed. 365.  
 Lea vs. West, 1 Am. B. R. 261, J. O. E. D. Va.  
 Carpenter vs. O'Connor, 1 Am. B. R. 381, Ohio C. C.  
 In re Buntrock, 1 Am. B. R. 454, J. O. N. D. Ia.; s. c. 2 Am. B. R. 98.  
 In re Brooks, 1 Am. B. R. 531, J. O. D. Vt.; s. c. 91 Fed. 508.  
 Hicks vs. Knost, 2 Am. B. R. 153, J. O. S. D. Ohio.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Adams, 2 Am. B. R. 415, R. O. E. D. Mich.  
 In re Crystal Bottling Co., 3 Am. B. R. 194, J. O. D. Vt.; s. c. 96 Fed. 943.

# Subd. b

In re Sievers, 1 N. B. N. 68, J. O. E. D. Mo.; s. c. 91 Fed. 366; 1 Am. B. R. 117.  
 In re Scott, 1 N. B. N. 136, J. O. E. D. Pa.  
 In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.; s. c. 1 Am. B. R. 160.  
 Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 1 Am. B. R. 215; 92 Fed. 594.  
 In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.  
 Burnet vs. Morris Co., 1 N. B. N. 240, J. O. D. Ore.; s. c. 1 Am. B. R. 229.  
 In re Kerski, 1 N. B. N. 326, J. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Knost, 1 N. B. N. 336, J. O. S. D. Ohio; s. c. 2 Am. B. R. 153; 94 Fed. 625.  
 Heath vs. Shaffer, 1 N. B. N. 399, J. O. N. D. Ia.; s. c. 93 Fed. 647.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.; s. c. 97 Fed. 188.  
 In re Booth, 1 N. B. N. 477, J. O. N. D. Ga.; s. c. 2 Am. B. R. 770.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96 Fed. 536.

- In re Newberry, 2 N. B. N. 56, J. O. W. D. Mich.; s. c. 3 Am. B. R. 158; 97 Fed. 24.
- In re Gerdes, 2 N. B. N. 131, R. O. S. D. Ohio.
- Murray vs. Beal, 2 N. B. N. 164, J. O. D. Utah; s. c. 3 Am. B. R. 284; 97 Fed. 567.
- In re Woodbury, 2 N. B. N. 284, J. O. N. D. Dak.; s. c. 98 Fed. 833.
- Schultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.
- Pepperdine vs. Headley, 98 Fed. 863, J. O. W. D. Mo.
- In re Franks, 95 Fed. 635, J. O. S. D. Ala.
- Louisville Trust Co. vs. Earks, 98 Fed. 456, J. O. D. Ky.
- Mitchell vs. McClure, 1 Am. B. R. 53, J. O. W. D. Pa.; s. c. 91 Fed. 621.
- In re Gutwillig, 1 Am. B. R. 78, J. O. S. D. N. Y.; s. c. 90 Fed. 481.
- Lea vs. West, 1 Am. B. R. 261, J. O. E. D. Va.
- Carpenter vs. O'Connor, 1 Am. B. R. 381, J. O. Ohio C. C.
- In re Goldberg, 1 Am. B. R. 385, R. O. D. Utah.
- In re Buntrock, 1 Am. B. R. 454, J. O. N. D. Ia.; s. c. 2 Am. B. R. 98.
- In re Brooks, 1 Am. B. R. 531, J. O. D. Vt.
- In re Fowler, 1 Am. B. R. 637, R. O. D. Conn.
- Shutts vs. First National Bank, 98 Fed. 705, J. O. D. Ind.
- In re Hammond, 98 Fed. 845, J. O. D. Mass.
- In re Adams, 2 Am. B. R. 415, R. O. E. D. Mich.
- In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.
- Robinson vs. White, 3 Am. B. R. 88, J. O. D. Ind.; s. c. 97 Fed. 33.
- Camp vs. Zellars, 94 Fed. 799, C. C. A. 5.
- Goodier vs. Barnes, 94 Fed. 798, J. O. N. D. N. Y.
- In re Richards, 96 Fed. 935, C. C. A. 7.
- In re Crystal Bottling Co., 96 Fed. 945, J. O. D. Vt.
- In re Cliffe, 97 Fed. 540, J. O. E. D. Pa.
- In re Rouse, Hazard & Co., 91 Fed. 96, C. C. A. 7.

- Subd. c** In re Sievers, 1 N. B. N. 68, J. O. E. D. Mo.  
 In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.; s. c. 1 Am. B. R. 160.  
 In re Knost, 1 N. B. N. 336, J. O. S. D. Ohio; s. c. 2 Am. B. R. 153.  
 Goodier vs. Barnes, 2 Am. B. R. 328, J. O. N. D. N. Y.; s. c. 94 Fed. 798.  
 In re Newberry, 3 Am. B. R. 156, J. O. W. D. Mich.  
 Robinson vs. White, et al., 97 Fed. 33, J. O. D. Ind.

## SEC. 24

- Subd. a** Davis vs. Bohle, 1 N. B. N. 216, J. O. C. C. A.  
 Schultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Purvine, 2 Am. B. R. 787, C. C. A. 5; s. c. 96 Fed. 192.
- Subd. b** In re Rouse, et al., 1 N. B. N. 75, C. C. A.; s. c. 91 Fed. 96.  
 In re Francis-Valentine Co., 1 N. B. N. 529, C. C. A. 9; s. c. 94 Fed. 793.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Purvine, 2 Am. B. R. 787, C. C. A. 5; s. c. 96 Fed. 192.

## SEC. 25

- Subd. a** Shultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Richards, 2 N. B. N. 36, C. C. A. 7; s. c. 96 Fed. 935.  
 In re Abraham, 93 Fed. 767, C. C. A. 5; s. c. 2 Am. B. R. 266.
- Cl. 1** Parmenter vs. Stoevers, 2 N. B. N. 174, C. C. A. 1; s. c. 3 Am. B. R. 220.  
 In re Smith, 1 Am. B. R. 37, R. O. N. D. N. Y.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Wright, 3 Am. B. R. 194, J. O. D. Mass.; s. c. 96 Fed. 820.
- Cl. 2** In re Abraham, 2 Am. B. R. 266, C. C. A. 5; 93 Fed. 767.
- Cl. 3** In re Rouse et al. 1 N. B. N. 75, C. C. A. 7; s. c. 91 Fed. 96.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Wright, 96 Fed. 820, J. O. D. Mass.; s. c. 3 Am. B. R. 194.
- Subd. b** In re Peters, 1 Am. B. R. 248, R. O. D. Mass.  
 In re Rouse et al. 91 Fed. 96, C. C. A. 7; s. c. 1 N. B. N. 75.

**Cl. 1****Cl. 2****Subd. c****Subd. d****SEC. 26****Subd. a**

In re Sievers, 1 N. B. N. 96, J. O. E. D. Mo.  
 In re Knost, 1 N. B. N. 336, J. O. S. D. Ohio; s. c. 2 Am. B. R. 153; 94 Fed.  
 625.  
 Schultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.

**Subd. b**

In re McLam, 97 Fed. Rep. 922, J. O. D. Vt.; s. c. 3 Am. B. R. 245.

**Subd. c**

In re McLam, 3 Am. B. R. 245, J. O. D. Vt.; s. c. 97 Fed. 922.

**SEC. 27****Subd. a**

In re Knost, 1 N. B. N. 336, J. O. S. D. Ohio; s. c. 2 Am. B. R. 153.  
 Schultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Abraham, 2 Am. B. R. 266; C. C. A. 5; s. c. 93 Fed. 767.

**SEC. 28****Subd. a**

In re Wolpert, 1 N. L. N. 238, R. O. N. D. N. Y.

**SEC. 29****Subd. a**

In re Sullivan, 1 N. B. N. 380, R. O. N. D. N. Y.  
 In re Webb, 2 N. B. N. 14, R. O. N. D. N. Y.  
 Goodier vs. Barnes, 2 Am. B. R. 328, J. O. N. D. N. Y.; s. c. 94 Fed. 798.  
 In re Purvine, 2 Am. B. R. 787, C. C. A. 5.

**Subd. b****Cl. 1**

In re Polakoff, 1 N. B. N. 232, R. O. N. D. N. Y.  
 In re Huber, 1 N. B. N. 431, R. O. N. D. N. Y.  
 In re Ray, 1 N. B. N. 526, J. O. D. Vt.; s. c. 3 Am. B. R. 37.  
 In re Kuntz, 1 N. B. N. 256, J. O. D. Wis.  
 In re Thomas, 1 N. B. N. 329, J. O. S. D. Ia.  
 In re Schreck, 1 N. B. N. 334, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 366.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 96 Fed. 535.  
 In re Meyers, 1 N. B. N. 515, J. O. S. D. N. Y.; s. c. 2 Am. B. R. 707; 96  
 Fed. 408.  
 In re Rhutassel, 1 N. B. N. 572, J. O. N. D. Ia.; s. c. 96 Fed. 597.  
 In re Webb, 2 N. B. N. 11, R. O. N. D. N. Y.  
 In re Bamberger, 2 N. B. N. 95, R. O. S. D. N. Y.  
 In re Hirsch, 2 N. B. N. 137, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 244.  
 In re Freund, 2 N. B. N. 236, J. O. S. D. N. Y.

In re De Leeuw, 2 N. B. N. 267, J. O. S. D. N. Y.  
 In re Berner, 2 N. B. N. 268, R. O. N. D. Ohio.  
 In re Langslow, 1 Am. B. R. 258, J. O. N. D. N. Y.  
 In re Lowenstein, 2 Am. B. R. 193, R. & J. O. S. D. N. Y.  
 In re Dows, 2 Am. B. R. 483, J. O. D. R. I.  
 Sellers. vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
 In re McNamara 2 Am. B. R. 566, R. O. S. D. N. Y.  
 In re Hirsch, 2 Am. B. R. 715, J. O. W. D. Tenn.; s. c. 96 Fed. 468.  
 In re Idzall, 2 Am. B. R. 741, J. O. S. D. Ia.  
 In re Skinner, 3 Am. B. R. 163, J. O. N. D. Ia.; s. c. 97 Fed. 190.  
 In re Welsh, 3 Am. B. R. 93, J. O. S. D. Ohio.  
 In re Cornell, 3 Am. B. R. 172, J. O. S. D. N. Y.; s. c. 97 Fed. 29.  
 In re Morrow, 3 Am. B. R. 236, J. O. D. Cal.  
 In re Hyman, 3 Am. B. R. 169, J. O. S. D. N. Y.; s. c. 97 Fed. 195.  
 In re O'Gara, 3 Am. B. R. 349, J. O. D. Ore.  
 In re Kamsler, 97 Fed. 194, J. O. S. D. N. Y.  
 In re Brooks, 91 Fed. 508, J. O. D. Vt.  
 In re Purvine, 96 Fed. 192, C. C. A. 5.  
 In re Schesinger, 97 Fed. 930, J. O. S. D. N. Y.

## Cl. 2

In re Schreck, 1 N. B. N. 334, R. O. N. D. N. Y.  
 In re Bushnell, 1 N. B. N. 528, R. O. D. N. J.  
 In re Strouse, 2 N. B. N. 64, R. O. E. D. Pa.  
 In re Bamberger, 2 N. B. N. 95, R. O. S. D. N. Y.  
 In re Kamsler, 2 N. B. N. 97, R. and J. O. S. D. N. Y.; s. c. 97 Fed. 194.  
 In re Williams, 2 N. B. N. 206, R. O. N. D. N. Y.  
 In re Freund, 2 N. B. N. 236, J. O. N. D. N. Y.  
 In re McAdam, 2 N. B. N. 256, J. O. S. D. N. Y.  
 In re De Leeuw, 2 N. B. N. 267, J. O. S. D. N. Y.  
 In re Webb, 2 N. B. N. 11, J. O. N. D. N. Y.

In re Crenshaw, 2 Am. B. R. 623, J. O. S. D. Ala.; s. c. 95 Fed. 632.  
 In re Lowenstein, 2 Am. B. R. 193, R. and J. O. S. D. N. Y.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
 In re McNamara, 2 Am. B. R. 566, R. O. S. D. N. Y.  
 In re Hirsch, 2 Am. B. R. 715, J. O. W. D. Tenn.  
 In re Skinner, 3 Am. B. R. 163, J. O. N. D. Ia.  
 In re Welsh, 3 Am. B. R. 93, J. O. S. D. Ohio.  
 In re Roy, 3 Am. B. R. 37, J. O. D. Vt.; s. c. 96 Fed. 400.  
 In re Thomas, 92 Fed 912, J. O. S. D. Ia.  
 In re Purvine, 96 Fed. 192, C. C. A. 5.  
 In re Rhutassel, 96 Fed 597, J. O. N. D. Ia.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
 In re Rhutassel, 96 Fed. 597, J. O. N. D. Ia.  
 In re Deitz, 2 N. B. N. 125, J. O. S. D. N. Y.  
 In re Rhutassel, 96 Fed. 597, J. O. N. D. Ia.

**Cl. 3**      Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
              In re Rhutassel, 96 Fed. 597, J. O. D. N. Ia.

**Cl. 4**      In re Deitz, 2 N. B. N. 125, J. O. S. D. N. Y.  
              In re Rhutassel, 97 Fed. 597, J. O. N. D. Ia.

**Cl. 5**      In re Rhutassel, 96 Fed. 597, J. O. N. D. Ia.

**Subd. c**

**Cl. 1**

**Cl. 2**

**Cl. 3**

**Subd. d**      In re Webb, 3 Am. B. R. 204, R. O. N. D. N. Y.

**SEC. 30**

- Subd. a**      In re Stevenson, 1 N. B. N. 313, J. O. D. Del.; s. c. 2 Am. B. R. 66; 94 Fed. 110.  
                   In re Strait, 1 N. B. N. 354, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 308.  
                   In re Paige, 2 N. B. N. 110, J. O. N. D. Ohio.  
                   In re Lewis, 91 Fed. 632, J. O. S. D. N. Y.  
                   Mather vs. Coe, 92 Fed. 333, J. O. N. D. Ohio.

**SEC. 31**

- Subd. a**      In re Stevenson, 1 N. B. N. 313, J. O. D. Del.; s. c. 2 Am. B. R. 66; 94 Fed. 110.  
                   In re Dupree, 1 N. B. N. 513, J. O. E. D. N. C.

**SEC. 32**

- Subd. a**      In re Waxelbaum, 2 N. B. N. 228, J. O. S. D. N. Y.; s. c. 98 Fed. 589.



## CHAPTER V.

### Officers, Their Duties and Compensation.

#### SEC. 33

**Subd. a**      In re Richard, 1 N. B. N. 487, J. O. E. D. N. C.

#### SEC. 34

##### **Subd. a**

**Cl. 1**      Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153.

**Cl. 2**      Bray vs. Cobb, 1 Am. B. R. 153, J. O. E. D. N. C.; s. c. 1 N. B. N. 209.

#### SEC. 35

##### **Subd. a**

##### **Cl. 1**

**Cl. 2**      In re Carolina Cooperage Co. 96 Fed. 950, J. O. E. D. N. C.

##### **Cl. 3**

##### **Cl. 4**

#### SEC. 36

##### **Subd. a**

#### SEC. 37

**Subd. a**      Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153.  
In re Cameron Town Ins. Co., 96 Fed. 756, J. O. W. D. Mo.

#### SEC. 38

##### **Subd. a**

**Cl. 1**      In re Northrop, 1 Am. B. R. 427, R. O. N. D. N. Y.  
In re Rogers, 1 N. B. N. 211, R. O. D. Ky.  
In re Sabine, 1 N. B. N. 45, R. O. N. D. N. Y.  
In re Mussey, 2 N. B. N. 113, R. O. D. Mass.  
In re Polakoff, 1 Am. B. R. 358, R. O. N. D. N. Y.

**Cl. 2**      In re Kaiser, 2 N. B. N. 123, R. and J. O. D. Minn.  
In re Sapiro, 1 Am. B. R. 296, R. O. E. D. Wis.  
In re Oliver, 2 Am. B. R. 783, J. O. N. D. Cal.; s. c. 96 Fed. 85.

- Cl. 3** In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.  
 In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.; s. c. 1 Am. B. R. 572.  
 In re Tudor, 2 N. B. N. 168, J. O. D. Colo.; s. c. 96 Fed. 942.  
 In re Sleshinger, 2 N. B. N. 169, J. O. S. D. N. Y.; s. c. 97 Fed. 980.

- Cl. 4** In re Long, 1 N. B. N. 12 (Note).  
 In re Drake, 1 N. B. N. 12 (Note).  
 In re Soper et al. 1 N. B. N. 182, R. O. N. D. N. Y.  
 In re Huddleston, 1 N. B. N. 214, R. O. N. D. Ala.; s. c. 1 Am. B. R. 572.  
 In re Rudnick, 1 N. B. N. 276, (Note) J. O. D. Mass.; s. c. 2 Am. B. R. 114 ;  
 1 N. B. N. 531 ; 93 Fed. 787.  
 In re Kerski, 1 N. B. N. 326, R. O. E. D. Wis ; s. c. 2 Am. B. R. 79.  
 In re Purvine, 96 Fed. 192, C. C. A. 5.  
 In re Rosser, 96 Fed. 308, J. O. E. D. Mo.  
 In re Mayer, 98 Fed. 839, J. O. E. D. Wis.

## **Cl. 5**

### **SEC. 39**

#### **Subd. a**

- Cl. 1** In re Warszawiak, 1 N. B. N. 135, R. O. S. D. N. Y.  
 In re Laskaris, 1 N. B. N. 209, R. O. N. D. N. Y.  
 In re Silverman, 1 N. B. N. 287, R. O. W. D. Mo.; s. c. 2 Am. B. R. 15.  
 In re Fort Wayne Co. 1 N. B. N. 356, J. O. D. Ind.; s. c. 1 Am. B. R. 706 ;  
 94 Fed. 109.  
 In re Barber, 1 N. B. N. 559, J. O. D. Minn.; s. c. 97 Fed. 547.

- Cl. 2** In re Ankeny, 1 N. B. N. 511, R. O. N. D. Ia.  
 In re Weinmann, 2 N. B. N. 51, R. O. E. D. Pa.  
 In re Mackey, 1 Am. B. R. 593, R. O. N. D. N. Y.  
 In re Cliffe, 2 Am. B. R. 317, J. O. E. D. Pa.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5; s. c. 94 Fed. 801.  
 In re Mercur, 2 Am. B. R. 626, J. O. E. D. Pa.  
 In re Lange, 3 Am. B. R. 231, J. O. S. D. N. Y.  
 In re Brummelkamp, 95 Fed. 814, J. O. N. D. N. Y.

## **Cl. 3**

## **Cl. 4**

## **Cl. 5**

## **Cl. 6**

**Cl. 7**

**Cl. 8**

**Cl. 9**

**Cl. 10**

**Subd. b.**

**Cl. 1** Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153; 91 Fed. 102.

**Cl. 2**

**Cl. 3**

## **SEC. 40**

**Subd. a** In re Langslow, 1 N. B. N. 232, J. O. N. D. N. Y.; s. c. 1 Am. B. R. 258.  
 In re Fort Wayne, Co., 1 N. B. N. 356, J. O. D. Ind.; s. c. Am. B. R. 706; 94 Fed. 109.  
 In re Rung, 1 N. B. N. 406, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 620.  
 In re Coffin, 1 N. B. N. 507, R. O. E. D. Tex.; s. c. 2 Am. B. R. 344.  
 In re Barber, 1 N. B. N. 559, J. O. D. Minn., s. c. 3 Am. B. R. 306; 97 Fed. 547.  
 In re Sabine, 1 Am. B. R. 322, R. O. N. D. N. Y.  
 In re Fielding, 3 Am. B. R. 135, J. O. W. D. Mo.; s. c. 96 Fed. 800.  
 Sellers vs. Bell, 94 Fed. 801, C. C. A. 5.

**Subd. b** In re Carolina Cooperage Co., 2 N. B. N. 23, J. O. N. D. N. C.

**Subd. c**

## **SEC. 41**

**Subd. a**

**Cl. 1** In re Rosser, 1 N. B. N. 469, J. O. E. D. Mo.; s. c. 96 Fed. 308.  
 In re Mayer, 2 N. B. N. 257, J. O. E. D. Wis.  
 In re Purvine, 2 Am. B. R. 787, C. C. A. 5.; s. c. 96 Fed. 192.

**Cl. 2**

**Cl. 3** In re Tudor, 1 N. B. N. 476, J. O. D. Cal.  
 In re Sapiro, 1 Am. B. R. 296, R. O. E. D. Wis.

**Cl. 4**

**Proviso.**

- Subd. b** In re Rosser, 1 N. B. N. 469, J. O. E. D. Mo.; s. c. 2 Am. B. R. 746; 96 Fed. 308.  
 In re Sapiro, 1 Am. B. R. 296, R. O. E. D. Wis.  
 In re Purvine, 2 Am. B. R. 787, C. C. A. 5; s. c. 96 Fed. 192.

## SEC. 42

**Subd. a**

**Subd. b**

**Subd. c**

## SEC. 43

- Subd. a** In re Kuffler, 2 N. B. N. 29, J. O. E. D. N. Y.  
 Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.; s. c. 1 Am. B. R. 153; 91 Fed. 102.

## SEC. 44

- Subd. a** In re Smith, 1 N. B. N. 404, R. O. N. D. N. Y.  
 In re Rung, 1 N. B. N. 406, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 620.  
 In re Lamont, 2 N. B. N. 291, R. O. N. D. Ill.  
 In re Lewensohn, 2 N. B. N. 315, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 299; 98 Fed. 576.  
 In re Kuffler 3 Am. B. R. 162, J. O. S. D. N. Y.; s. c. 2 N. B. N. 29.  
 In re Smith, 93 Fed. 791, J. O. W. D. Tex.  
 In re Blankfein, 97 Fed. 191, J. O. S. D. N. Y.

## SEC. 45

**Subd. a**

- Cl. 1** In re Smith, 1 N. B. N. 136, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 37.  
 Bray vs. Cobb, 1 N. B. N. 209, J. O. E. D. N. C.  
 In re Lewensohn, 2 N. B. N. 315, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 299.

- Cl. 2** In re Woodbury, 2 N. B. N. 284, J. O. D. N. Dak.

**SEC. 46****Subd. a**

In re Kuffler, 2 N. B. N. 29, J. O. S. D. N. Y.  
 In re Wright, 2 Am. B. R. 497, R. O. N. D. N. Y.

**SEC. 47****Subd. a****Cl. 1**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206; 93 Fed. 948.  
 In re Woodard, 2 Am. B. R. 339, J. O. E. D. N. C.  
 In re Rung, 2 Am. B. R. 620, R. O. N. D. N. Y.  
 In re Stein, 94 Fed. 124, J. O. D. Ind.

**Cl. 2**

In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.  
 In re Holloway, 1 N. B. 264, J. O. D. Ky.; s. c. 93 Fed. 638; 1 Am. B. R. 659.  
 In re Jefferson, 1 N. B. N. 289, J. O. D. Ky.; s. c. 2 Am. B. R. 206; 93 Fed. 948.  
 In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662.  
 In re Woodard, 1 N. B. N. 385, J. O. N. D. N. C.; s. c. 95 Fed. 260.  
 In re Pearson, 1 N. B. N. 474, R. O. E. D. Pa.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96 Fed. 536.  
 In re Plummer, 2 N. B. N. 292, R. O. N. D. N. Y.; s. c. 3 Am. B. R. 320.  
 In re Cohn, 2 N. B. N. 299, J. O. S. D. N. Y.  
 Schultz vs First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Tudor, 2 Am. B. R. 808, J. O. D. Colo.  
 In re Jackson, 94 Fed. 797, J. O. D. Va.

**Cl. 3****Cl. 4****Cl. 5****Cl. 6**

**Cl. 7** In re Baginsky, 2 Am. B. R. 243, J. O. E. D. La.

**Cl. 8** In re Stein, 1 Am. B. R. 662, J. O. D. Ind.

**Cl. 9** In re Stein, 1 Am. B. R. 662, J. O. D. Ind.

- Cl. 10** In re Grimes, 2 Am. B. R. 730, J. O. W. D. N. C.; s. c. 1 N. B. N. 516; 96 Fed. 529.
- Cl. 11** In re Camp, 1 N. B. N. 142, J. O. N. D. Ga.; s. c. 1 Am. B. R. 165; 91 Fed. 745.  
 In re Woodard, 1 N. B. N. 385, J. O. E. D. N. C.; s. c. 95 Fed. 260.  
 In re Grimes, 1 N. B. N. 426, R. O. W. D. N. C.; s. c. 2 Am. B. R. 610.  
 In re Nunn, 1 N. B. N. 427, R. O. S. D. Ga.; s. c. 2 Am. B. R. 664.  
 In re Peterson, 1 N. B. L. 430, J. O. N. D. Cal.; s. c. 2 Am. B. R. 630; 95 Fed. 417.  
 In re Brown, 1 N. B. N. 511, J. O. W. D. Pa.  
 In re McBride, 2 N. B. N. 345, J. O. E. D. N. C.  
 In re Grimes, 2 Am. B. R. 730, J. O. W. D. N. C.; s. c. 1 N. B. N. 516; 96 Fed. 529.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5; s. c. 94 Fed. 801.  
 In re Smith, 2 Am. B. R. 190, J. O. W. D. Tex.; s. c. 93 Fed. 791; 1 N. B. N. 532.

### Subd. b

## SEC. 48

- Subd. a** In re Rung, 1 N. B. N. 406, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 620.  
 In re Coffin, 1 N. B. N. 507, R. O. E. D. Tex.; s. c. 2 Am. B. R. 344.  
 In re Barber, 1 N. B. N. 559, J. O. D. Minn.; s. c. 97 Fed. 547.  
 In re Plummer, 2 N. B. N. 292, R. O. N. D. N. Y.; s. c. 3 Am. B. R. 320.  
 In re Sabine, 1 Am. B. R. 322, R. O. N. D. N. Y.  
 In re Mitchell, 1 Am. B. R. 687, R. O. W. D. Pa.  
 In re Fielding, 3 Am. B. R. 135, J. O. W. D. Mo.; s. c. 96 Fed. 800.  
 In re Carolina Cooperage Co., 3 Am. B. R. 154, J. O. E. D. N. C.; s. c. 96 Fed. 950.  
 Sellers vs. Bell, 94 Fed. 801, C. C. A. 5.

- Subd. b** In re Rung, 1 N. B. N. 406, R. O. N. D. N. Y.  
 In re Carolina Cooperage Co., 2 N. B. N. 23, J. O. E. D. N. C.

- Subd. c** In re Rung, 1 N. B. N. 406, R. O. N. D. N. Y.

**SEC. 49****Subd. a****SEC. 50****Subd. a**

**Subd. b** In re Lewensohn, 2 N. B. N. 315, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 299;

**Subd. c**

**Subd. d** In re Kalter, 2 Am. B. R. 590, R. O. E. D. Pa.

**Subd. e** In re Kalter, 2 Am. B. R. 590, R. O. E. D. Pa.

**Subd. f** In re Kalter, 2 Am. B. R. 590, R. O. E. D. Pa.

**Subd. g** In re Kalter, 2 Am. B. R. 590, R. O. E. D. Pa.

**Subd. h****Subd. i****Subd. j**

**Subd. k** In re Lowensohn, 2 N. B. N. 315, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 299.

**Subd. l****Subd. m****SEC. 51****Subd. a**

**Cl. 1** In re Matthews, 3 Am. B. R. 265, J. O. S. D. Ia.  
Bray vs. Cobb, 91 Fed. 102, J. O. E. D. N. C.

**Cl. 2** In re Collier, 1 Am. B. R. 182, J. O. W. D. Tenn.; s. c. 93 Fed. 191.  
Anonymous, 2 Am. B. R. 527, J. O. D. Wash.  
Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5; s. c. 94 Fed. 801.  
In re Matthews, 97 Fed. 772, J. O. S. D. Ia.  
In re Gay, 98 Fed. 870, J. O. D. N. H.

**Cl. 3****Cl. 4****SEC. 52**

**Subd. a** Sellers vs. Bell, 94 Fed. 801, C. C. A. 5.

**Subd. b****SEC. 53****Subd. a****SEC. 54****Subd. a****SEC. 55****Subd. a****Subd. b**

In re Walker, 1 N. B. N. 511, J. O. D. N. Dak., s. c. 3 Am. B. R. 35.  
 In re Stein, 1 Am. B. R. 662, J. O. D. Ind.  
 In re Gerson, 2 Am. B. R. 352,, R. O. E. D. Pa.  
 In re Sullivan, 2 Am. B. R. 648, R. O. N. D. N. Y.

**Subd. c****Subd. d****Subd. e****Subd. f**

In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 94 Fed. 124.  
 In re Smith, 1 N. B. N. 404, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 648.

**SEC. 56****Subd. a**

In re Folb, 1 N. B. N. 134, R. O. E. D. N. C.; s. c. 91 Fed. 107.  
 In re Walker, 1 N. B. N. 510, J. O. D. N. Dak.; s. c. 3 Am. B. R. 35.  
 In re Blankfein, 2 N. B. N. 49, J. O. S. D. N. Y.; s. c. 97 Fed. 191.

**Subd. b**

Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 92 Fed. 594.  
 In re Sabine, 1 N. B. N. 312, R. O. N. D. N. Y.  
 In re Rhoades, 2 N. B. N. 178, R. O. W. D. Pa.  
 In re Coe, 1 Am. B. R. 275, R. O. N. D. Ohio.  
 In re Fielding, 3 Am. B. R. 135, J. O. W. D. Mo.; s. c. 96 Fed. 800.  
 In re Kolb, 91 Fed. 107, J. O. E. D. N. C.

**SEC. 57****Subd. a**

In re Gutwillig, 1 N. B. N. 40, J. O. S. D. N. Y.  
 In re Soper, 1 N. B. N. 182, R. O. N. D. N. Y.  
 In re Jefferson, 1 N. B. N. 289, J. O. D. Ky.; s. c. Am. B. R. 206; 93 Fed. 948.  
 In re Scott, 1 N. B. N. 402, J. O. N. D. Tex.; s. c. 1 Am. B. R. 553; 93 Fed. 418.  
 In re Ankeny, 1 N. B. N. 482, R. O. N. D. Ia.  
 In re Friedman, 1 Am. B. R. 510, R. O. S. D. N. Y.  
 In re Lipman, 2 Am. B. R. 46, J. O. S. D. N. Y.



In re Wrestler, 2 Am. B. R. 166, R. O. D. Minn.; s. c. 2 Am. B. R. 602.  
 In re Heinsfurter, 3 Am. B. R. 133, J. O. S. D. Ia.  
 In re Richards, 94 Fed. 633, J. O. E. D. N. C.  
 In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

**Subd. b** In re Jefferson, 1 N. B. N. 289, J. O. D. Ky.  
 In re Ankeny, 1 N. B. N. 482, R. O. N. D. Ia.  
 In re Watson, 2 N. B. N. 307, R. O. D. Mass.; s. c. 3 N. B. N. 308.  
 In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

**Subd. c** In re Bingham, 2 Am. B. R. 223, J. O. D. Vt.  
 In re Rider, 3 Am. B. R. 178, J. O. N. D. N. Y.; s. c. 96 Fed. 811.

**Subd. d** In re Ankeny, 1 N. B. N. 482, R. O. N. D. Ia.  
 In re Kimball, 2 N. B. N. 46, J. O. D. Mass.  
 In re Horgan, 2 N. B. N. 53, J. O. S. D. N. Y.  
 In re Headley, 2 N. B. N. 250, J. O. W. D. Mo.; s. c. 97 Fed. 765.  
 In re Friedman, 1 Am. B. R. 510, R. O. S. D. N. Y.  
 In re Rider, 3 Am. B. R. 192, J. O. N. D. N. Y.; s. c. 96 Fed. 811.  
 In re McAdam, 98 Fed. 409, J. O. S. D. N. Y.

**Subd. e** Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 92 Fed. 594.  
 In re Coe, 1 N. B. N. 295, R. O. N. D. Ohio; s. c. 1 Am. B. R. 275.  
 In re Sabine, 1 N. B. N. 312, R. O. N. D. N. Y.  
 In re Booth, 2 Am. B. R. 770, J. O. N. D. Ga.; s. c. 96 Fed. 943.  
 In re Rider, 96 Fed. 811, J. O. N. D. N. Y.  
 In re Headley, 97 Fed. 765, J. O. W. D. Mo.  
 In re Falls City Shirt Mf'g Co. 98 Fed. 592, J. O. D. Ky.

**Subd. f** In re Ankeny, 1 N. B. N. 511, R. O. N. D. Ia.  
 In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

- Subd. g**      In re Leeman, 1 N. B. N. 331, R. & J. O. D. Mo.; s. c. 2 Am. B. R. 52.  
                  In re Knost, 1 N. B. N. 403, R. O. S. D. Ohio; s. c. 2 Am. B. R. 471.  
                  In re Stendts, 1 N. B. N. 509, R. O. N. D. N. Y.  
                  In re Cobb, 1 N. B. N. 557, J. O. E. D. N. C.; s. c. 96 Fed. 821.  
                  In re Piper, 2 N. B. N. 7, J. O. S. D. Cal.  
                  In re Piper, 2 N. B. N. 8, R. O. S. D. Cal.  
                  In re Conhaim, 2 N. B. N. 148, J. O. D. Wash.; s. c. 3 Am. B. R. 249; 97 Fed. 923.  
                  In re Wise, 2 N. B. N. 151, R. O. N. D. N. Y.  
                  In re Baker, 2 N. B. N. 195, R. O. E. D. Tex.  
                  In re Folb, 1 Am. B. R. 22, J. O. E. D. N. C.; s. c. 91 Fed. 107.  
                  In re Curtis, 1 Am. B. R. 440, J. O. S. D. Ill.  
                  In re Romanow, 1 Am. B. R. 461, J. O. D. Mass.  
                  In re Wilcox, 1 Am. B. B. 544, R. O. D. Tenn.  
                  In re Richards, 2 Am. B. R. 506, J. O. E. D. N. C.  
                  Worden vs. Col. Elec. Co., 3 Am. B. R. 186, J. O. D. Ind.; s. c. 96 Fed. 803.  
                  In re Helmsfurter, 97 Fed. 198, J. O. S. D.  
                  In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

- Subd. h**      Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.; s. c. 92 Fed. 594.  
                  In re Pittelkow, 1 N. B. N. 234, J. O. E. D. Wis.  
                  In re Sabine, 1 N. B. N. 312, R. O. N. D. N. Y.  
                  In re Coffin, 1 N. B. N. 507, R. O. E. D. Tex.; s. c. 2 Am. B. R. 344.  
                  In re Friedman, 1 Am. B. R. 510, R. O. S. D. Ga.  
                  In re Booth, 2 Am. B. R. 774, J. O. N. D. Ga.; s. c. 96 Fed. 943.  
                  In re Kolb, 91 Fed. 107, J. O. E. D. N. C.  
                  In re Brooks, 91 Fed. 508, J. O. D. Vt.  
                  In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

- Subd. i**      In re Mason, 1 N. B. N. 331, R. O. D. R. I.; s. c. 2 Am. B. R. 60.  
                  In re Heyman, 2 Am. B. R. 651, J. O. S. D. N. Y.; s. c. 95 Fed. 800.  
                  In re Richards, 96 Fed. 811, J. O. N. D. N. Y.

- Subd. j**      In re Baker, 1 N. B. N. 547, J. O. D. Kan.; s. c. 3 Am. B. R. 101; 96 Fed. 954.  
                  In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

**Subd. k** In re Smith, 2 Am. B. R. 648, R. O. N. D. N. Y.  
 In re Wood, 2 Am. B. R. 295, J. O. E. D. N. C.  
 In re Lipman, 94 Fed. 355, J. O. S. D. N. Y.  
 In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

**Subd. l** In re Rider, 96 Fed. 811, J. O. N. D. N. Y.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.

**Subd. m** In re Smith, 1 N. B. N. 136, R. O. N. D. N. Y.  
 In re Rider, 96 Fed. 811, J. O. N. D. N. Y.

**Subd. n** In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 94 Fed. 124; 1 Am. B. R. 662.  
 In re Rider, 3 Am. B. R. 178, J. O. N. D. N. Y.; s. c. 96 Fed. 811.

## SEC. 58

### Subd. a

**Cl. 1** In re Price, 1 N. B. N. 131, J. O. S. D. N. Y.; s. c. 1 Am. B. R. 419; 91 Fed. 635.  
 In re Stein, 1 N. B. N. 339, J. O. D. Ind., s. c. 1 Am. B. R. 662; 94 Fed. 124.  
 In re Abrahamson, 1 Am. B. R. 44, R. O. N. D. N. Y.  
 Bray vs. Cobb, 1 Am. B. R. 153, J. O. E. D. N. C.  
 In re Stotts, 1 Am. B. R. 641, J. O. S. D. Ia.; s. c. 93 Fed. 438.

**Cl. 2** In re Stein, 1 N. B. N. 339, J. O. D. Ind.

**Cl. 3** In re Stein, 1 N. B. N. 339, J. O. D. Ind.

**Cl. 4** In re Stein, 1 N. B. N. 339, J. O. D. Ind.  
 In re Groves, 2 N. B. N. 30, R. O. N. D. Ohio.

**Cl. 5** In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662.

**Cl. 6** In re Stein, 1 N. B. N. 339, J. O. D. Ind.

**Cl. 7** In re Stein, 1 N. B. N. 339, J. O. D. Ind.

**Cl. 8** In re Stein, 1 N. B. N. 339, J. O. D. Ind.  
 Newstader vs. Chicago Dry Goods Co., 1 N. B. N. 552, J. O. D. Wash.; s. c.  
 3 Am. B. R. 96; 96 Fed. 830.

**Subd. b** In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662.

**Subd. c** In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662; 94 Fed. 124.  
 In re Schiller, 2 Am. B. R. 704, J. O. D. Ind.

## SEC. 59

- Subd. a**      In re Empire Metallic Bedstead Co., 1 Am. B. R. 136, R. O. N. D. N. Y.
- Subd. b**      In re Romanow, 1 N. B. N. 213, J. O. D. Mass.; s. c. 1 Am. B. R. 461; 92 Fed. 510.  
                  In re Empire Metallic Bedstead Co., 1 N. B. N. 302, R. O. N. D. N. Y.  
                  In re Beddingsfield, 1 N. B. N. 385, J. O. N. D. Ga.; s. c. 96 Fed. 190; 2 Am. B. R. 355.  
                  In re Mercur, 1 N. B. N. 527, J. O. E. D. Pa; s. c. 2 Am. B. R. 626; 95 Fed. 634.  
                  Levinson vs. Simonson, 1 N. B. N. 549, J. O. D. Ky.  
                  In re Stevenson, 1 N. B. N. 313, J. O. D. Del.  
                  Neustadter vs. Chicago Dry Goods Co, 96 Fed. 830, J. O. D. Wash.  
                  In re Norcross, 1 Am. B. R. 644, R. O. W. D. Mo.  
                  In re Curtis, 2 Am. B. R. 226, C. C. A. 7.  
                  Leidigh Carriage Co., vs. Stengel, 2 Am. B. R. 333, C. C. A. 6.  
                  In re Curtis, 91 Fed. 737, J. O. S. D. Ill.  
                  In re John A. Etheridge Furniture Co., 92 Fed. 329, J. O. D. Ky.  
                  In re Nelson, 98 Fed. 76, J. O. W. D. Wis.  
                  In re Sinsheimer, 96 Fed. 579, J. O. D. Ky.  
                  Mather vs. Coe, 92 Fed. 333, J. O. N. D. O.  
                  In re Kelly, 91 Fed. 504, J. O. W. D. Tenn.
- Subd. c**      In re Stevenson, 2 Am. B. R. 66, J. O. D. Del.; s. c. 94 Fed. 110.  
                  In re Dupree, 97 Fed. 28, J. O. E. D. N. C.
- Subd. d**      In re Barrett Co. 2 N. B. N. 80, R. O. N. D. Ill.  
                  In re Romanow, 1 Am. B. R. 461, J. O. D. Mass.  
                  In re Mercur, 95 Fed. 634, J. O. E. D. Mass.
- Subd. e**      In re Romanow, 1 N. B. N. 213, J. O. D. Mass.; s. c. 1 Am. B. R. 461.  
                  In re Barrett Co., 2 N. B. N. 80, R. O. N. D. Ill.
- Subd. f**      In re Romanow, 1 N. B. N. 213, J. O. D. Mass.; s. c. 1 Am. B. R. 461; 92 Fed. 510.  
                  In re Beddingsfield, 1 N. B. N. 385, J. O. N. D. Ga.; s. c. 2 Am. B. R. 355; 96 Fed. 190.  
                  In re Taylor, 1 N. B. N. 412, R. O. N. D. N. Y.  
                  Neustadter vs. Chicago Co. 1 N. B. N. 552, J. O. D. Wash.; s. c. 3 Am. B. R. 96; 96 Fed. 830.

In re Ogles, 2 Am. B. R. 514, R. O. W. D. Tenn.  
 In re Ogles, 93 Fed. 426, J. O. W. D. Tenn.  
 Goldman vs. Smith, 93 Fed 182, J. O. D. Ky.  
 Hill vs. Levy, 98 Fed. 94, J. O. E. D. Va.

**Subd. g** In re Beddingsfield, 1 N. B. N. 385, J. O. N. D. Ga.; s. c. 2 Am. B. R. 355.  
 Neustadter vs. Chicago Co., 1 N. B. N. 552, J. O. D. Wash.; a. c. 96 Fed. 830.  
 Mather vs. Coe, 1 N. B. N. 554, J. O. D. Wash.  
 In re Ogles, 93 Fed. 426, J. O. W. D. Tenn.  
 In re Simonson, 92 Fed. 904, J. O. D. Ky.  
 In re Von Borcke, 94 Fed. 352, J. O. D. N. J.  
 In re Cronin, 98 Fed. 584, J. O. D. Mass.

## SEC. 60

**Subd. a** In re Moyer, 1 N. B. N. 260, J. O. E. D. Pa.; s. c. 93 Fed. 188.  
 In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio; s. c. 2 Am. B. R. 40;  
 95 Fed. 121.  
 In re The Little River Lumber Co., 1 N. B. N. 306, R. O. W. D. Ark.  
 In re Dnnavant, 1 N. B. N. 542, J. O. W. D. N. C.  
 In re Cain, 1 N. B. N. 389, R. and J. O. N. D. Ill.; s. c. 2 Am. B. R. 378.  
 Crooks vs. National Bank, 1 N. B. N. 530, Sup. Ct. N. Y.  
 In re Knost, 1 N. B. N. 402, R. O. S. D. Ohio.  
 In re Nelson, 1 N. B. N. 567, J. O. W. D. Wis.  
 In re Taylor, 1 N. B. N. 412, R. O. N. D. N. Y.  
 In re Cobb, 1 N. B. N. 557, J. O. E. D. N. C.  
 In re Hopkins, 1 N. B. N. 71, R. O. N. D. Ala.  
 Mather vs. Coe, 1 N. B. N. 554, J. O. N. D. Ohio; a. c. 92 Fed. 333.  
 In re Stendts, 1 N. B. N. 509, R. O. N. D. N. Y.  
 Carter vs. Hobbs, 1 N. B. N. 529, J. O. D. Ind.; a. c. 2 Am. B. R. 224.  
 In re Piper, 2 N. B. N. 7, J. O. S. D. Cal.  
 In re Piper, 2 N. B. N. 8, R. O. S. D. Cal.  
 In re Rhodes, 2 N. B. N. 301, J. O. W. D. Pa.  
 In re Lange, 2 N. B. N. 85, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 231.  
 In re Conhaim, 2 N. B. N. 148, J. O. D. Wash.; s. c. 97 Fed. 923.  
 In re Wise, 2 N. B. N. 151, R. O. N. D. N. Y.  
 In re Eggert, 2 N. B. N. 185, R. O. E. D. Wis.  
 In re Jones, 2 N. B. N. 190, R. O. D. Mo.  
 Shutts vs. First Nat. Bank, 98 Fed. 705, J. O. D. Ind.  
 In re Ebert, 1 Am. B. R. 340, R. O. D. Wis.  
 In re Tierre, 2 Am. B. R. 463, J. O. S. D. N. Y.  
 Smith vs. Dodson, 2 Am. B. R. 9, J. O. D. Ind.  
 In re Eggert, 98 Fed. 843, J. O. E. D. Wis.  
 In re Pearson, 2 Am. B. R. 482, J. O. S. D. N. Y.  
 Johnson vs. Wald, 2 Am. B. R. 84, U. C. A. 5; s. c. 93 Fed. 640.  
 In re Richards, 2 Am. B. R. 518, J. O. D. Wis.  
 In re Klingaman, 2 Am. B. R. 44, R. O. S. D. Ia.

In re Teague, 2 Am. B. R. 168, J. O. D. Ind.  
 In re Rome Mills, 3 Am. B. R. 123, J. O. N. D. N. Y.; s. c. 96 Fed. 812.  
 In re Kross, 3 Am. B. R. 187, J. O. S. D. N. Y.  
 Worden vs. Col. Elec. Co., 3 Am. B. R. 186, J. O. D. Ind.; s. c. 96 Fed. 808.  
 Crooks vs. National Bank, 3 Am. B. R. 242, Appel. D. Sup. Ct. N. Y.  
 In re Sheridan, 98 Fed. 406, J. O. E. D. Pa.  
 In re Ogles, 93 Fed. 426, J. O. W. D. Tenn.  
 In re Little River Co., 92 Fed. 585, J. O. W. D. Ark.  
 In re Nathan, 92 Fed. 590, J. O. D. Nev.  
 In re Wolf, 98 Fed. 590, J. O. N. D. Ia.

**Subd. b**

In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio; s. c. 95 Fed. 121.  
 In re Knost, 1 N. B. N. 402, R. O. S. D. Ohio; s. c. 2 Am. B. R. 471.  
 In re Cain, 1 N. B. N. 389, R. and J. O. N. D. Ill.  
 Blakey vs. Boonville National Bank, 1 N. B. N. 411, J. O. D. Ind.; s. c. 2  
     Am. B. R. 459; 95 Fed. 267.  
 Mather vs. Coe, 1 N. B. N. 544, J. O. N. D. Ohio.  
 In re Piper, 2 N. B. N. 7, J. O. S. D. Cal.  
 In re Piper, 2 N. B. N. 8, R. O. S. D. Cal.  
 In re Galvin, 2 N. B. N. 146, R. O. S. D. Mass.  
 In re Wise, 2 N. B. N. 151, R. O. N. D. N. Y.

In re Eggert, 2 N. B. N. 185, R. O. E. D. Wis.  
 In re Baker, 2 N. B. N. 353, R. O. D. Colo.  
 Goldman vs. Smith, 1 Am. B. R. 266, J. O. D. Ky.  
 In re Kelly, 1 Am. B. R. 306, J. O. W. D. Tenn.; s. c. 91 Fed. 504.  
 In re Ebert, 1 Am. B. R. 340, R. O. W. D. Wis.  
 In re Little River Co., 1 Am. B. R. 483, J. O. W. D. Ark.  
 In re Jacobs, 1 Am. B. R. 518, R. O. W. D. La.  
 In re Ogles, 1 Am. B. R. 671, J. O. W. D. Tenn.  
 Leidigh Carriage Co. vs. Stengel, 2 Am. R. 383, C. C. A. 6.  
 In re Cobb, 3 Am. B. R. 129, J. O. E. D. N. C.  
 Crooks vs. National Bank, 3 Am. B. R. 238, Appell. D. Sup. Ct. N. Y.  
 In re Curtis, 94 Fed. 630, C. C. A. 7.  
 Carter vs. Hobbs, 94 Fed. 108, J. O. D. Ind.

**Subd. c** In re Fellerath, 1 N. B. N. 292, J. O. N. D. Ohio.; s. c. 95 Fed. 131.  
 In re Knost, 1 N. B. N. 402, R. O. S. D. Ohio.  
 In re Piper, 2 N. B. N. 7, J. O. N. D. Cal.  
 In re Piper, 2 N. B. N. 8, R. O. N. D. Cal.  
 In re Cain, 2 Am. B. R. 378, R. O. N. D. Ill.

**Subd. d** In re Beck, 1 N. B. N. 338, J. O. S. D. Ia.; s. c. 1 N. B. N. 564; 92 Fed. 889.  
 In re Knost, 1 N. B. N. 402, R. O. S. D. Ohio.  
 In re Averill, 1 N. B. N. 545, J. & R. O. N. D. Ohio.  
 In re Kross, 1 N. B. N. 566, J. O. S. D. N. Y.; s. c. 96 Fed. 816.  
 In re Etheridge Furniture Co., 92 Fed. 329, J. O. D. Ky.  
 In re Fallerath, 95 Fed. 121, J. O. N. D. Ohio.

## SEC. 61

**Subd. a**

**SEC. 62****Subd. a**

In re Sabine, 1 N. B. N. 312, R. O. N. D. N. Y.  
 In re Baginsky, 1 N. B. N. 360, R. O. E. D. La.; s. c. 2 Am. B. R. 243.  
 In re Pauly, 1 N. B. N. 405, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 333.  
 In re Plummer, 2 N. B. N. 292, R. O. N. D. N. Y.  
 In re Gerson, 1 Am. B. R. 251, R. O. E. D. Pa.

**SEC. 63****Subd. a****Cl. 1**

Carter vs. Hobbs, 1 N. B. N. 191, J. O. D. Ind.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Houston, 1 N. B. N. 305, J. O. D. Ky.; s. c. 2 Am. B. R. 107; 94 Fed. 119.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Sullivan, 1 N. B. N. 380, R. O. N. D. N. Y.  
 In re Woodard, 1 N. B. N. 385, R. O. E. D. N. C.; s. c. 95 Fed. 260.  
 In re Smith, 1 N. B. N. 171, R. O. N. D. N. Y.  
 In re Van Orden, 1 N. B. N. 475, J. O. D. N. J.; s. c. 96 Fed. 86.  
 In re Huber, 1 N. B. N. 512, R. O. D. N. Y.  
 In re McBride, 2 N. B. N. 345, J. O. E. D. N. C.  
 In re Lawrie, 2 N. B. N. 77, R. O. E. D. Wis.  
 In re Challoner, 2 N. B. N. 105, J. O. N. D. Ill.  
 In re Arnstein & Bonn, 2 N. B. N. 106, R. O. S. D. N. Y.  
 In re Kalter, 2 N. B. N. 264, R. O. E. D. Pa.

**Cl. 2**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Woodard, 2 Am. B. R. 339, J. O. E. D. N. C.  
 In re Van Orden, 2 Am. B. R. 801, J. O. D. N. J.  
 In re Smith, 3 Am. B. R. 67, R. O. D. N. Y.

**Cl. 3**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Young, 2 Am. B. R. 673, J. O. E. D. N. Y.  
 In re Allen, 3 Am. B. R. 38, J. O. N. D. Cal.; s. c. 96 Fed. 512.



**Cl. 4**

In re Rouse, 1 N. B. N. 48, N. E. D. Ohio. (Note.)  
 In re Silverman Bros., 1 N. B. N. 286, R. O. W. D. Mo.; s. c. 2 Am. B. R. 15.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206; 93 Fed. 948.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.  
 In re Marshall Paper Co., 1 N. B. N. 407, J. O. D. Mass.; s. c. 95 Fed. 419.  
 In re Heinsfurter, 1 N. B. N. 504, J. O. S. D. Ia.; s. c. 97 Fed. 198.  
 In re Schierman, 2 N. B. N. 116, R. O. E. D. Mo.  
 Hill vs. Levy, 2 N. B. N. 160, J. O. E. D. Va.  
 In re Rouse, 1 Am. B. R. 393, R. O. N. D. Ohio.  
 In re Lazarovic, 1 Am. B. R. 476, R. O. D. Kan.  
 In re Challoner, 98 Fed. 82, J. O. N. D. Ill.  
 In re Alderson, 98 Fed. 588, J. O. D. W. Va.

**Cl. 5**

In re Pinkel, 1 N. B. N. 138, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 333.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Richards, 1 N. B. N. 487, J. O. E. D. N. C.; s. c. 2 Am. B. R. 506; 94 Fed. 633.  
 In re Challoner, 2 N. B. N. 105, J. O. N. D. Ill.  
 In re Baker, 2 N. B. N. 195, J. O. E. D. Tex.  
 In re McBride, 2 N. B. N. 345, J. O. E. D. N. C.  
 In re Lipman, 94 Fed. 353, J. O. S. D. N. Y.  
 In re Scott, 93 Fed. 418, J. O. N. D. Tex.

**Subd. b**

In re Rouse, 1 N. B. N. 48. (Note.)  
 In re Silverman Bros., 1 N. B. N. 286, R. O. W. D. Mo.  
 In re Sullivan, 1 N. B. N. 380, R. O. N. D. N. Y.  
 In re Heinsfurter, 1 N. B. N. 467, J. O. S. D. Ia.; s. c. 1 N. B. N. 504; 97 Fed. 198.  
 In re Smith, 1 N. B. N. 471, R. O. N. D. N. Y.  
 In re Rhodes, 2 N. B. N. 179, R. O. W. D. Pa.  
 In re Rouse, 1 Am. B. R. 393, R. O. N. D. Ohio.  
 In re Silverman Bros., 2 Am. B. R. 15, J. O. W. D. Mo.

**SEC. 64****Subd. a**

In re Baker, 1 N. B. N. 212, R. O. E. D. Tex.; s. c. 1 Am. B. R. 526.  
 In re Kross, 1 N. B. N. 566, J. O. S. D. N. Y.  
 In re Frick, 1 N. B. N. 214, R. O. N. D. Ohio.  
 In re Barber, et al. 1 N. B. N. 559, J. O. D. Minn.; s. c. 3 Am. B. R. 306; 97 Fed. 547.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 93 Fed. 948.  
 In re Averill, 1 N. B. N. 544, R. O. N. D. Ohio.  
 In re Sabine, 1 N. B. N. 312, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 322.  
 In re Ott, 1 N. B. N. 571, J. O. S. D. Ia.  
 In re Tilden, 1 Am. B. R. 300, J. O. S. D. Ia.; s. c. 91 Fed. 500  
 In re Kirby-Denis Co. 2 Am. B. R. 218, J. O. E. D. Wis.; s. c. 94 Fed. 818.  
 Clafin vs. Eason, 2 Am. B. R. 263, R. O. E. D. Tex.  
 In re Kirby-Denis Co. 2 Am. B. R. 402, C. C. A. 7; s. c. 95 Fed. 116.  
 In re Gerson, 2 Am. B. R. 352, R. O. E. D. Pa.  
 In re Collins, 2 Am. B. R. 1, R. O. S. D. Ia.  
 In re Hollenfeltz, 2 Am. B. R. 499, J. O. N. D. Ia.; s. c. 94 Fed. 629.  
 In re Ott, 2 Am. B. R. 637, J. O. S. D. Ia.; s. c. 94 Fed. 274.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
 In re Fielding, 3 A. B. R. 135, J. O. W. D. Mo.; s. c. 96 Fed. 800.  
 In re Ruppel, 3 Am. B. R. 233, J. O. W. D. Pa.

**Subd. b****Cl. 1**

In re Gerson, 1 N. B. N. 190, R. O. E. D. Pa.; s. c. 1 Am. B. R. 251.  
 In re Gerson (II.), 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Tyler Banking Co., 1 N. B. N. 360, R. O. E. D. Tex.  
 In re Grimes, 1 N. B. N. 516, J. O. W. D. N. C.; s. c. 96 Fed. 529.  
 In re Kingman, 1 N. B. N. 518, R. O. D. Mass.  
 In re Carolina Cooperage Co., 1 N. B. N. 534, J. O. E. D. N. C.; s. c. 96 Fed. 950.  
 In re Gilblom & King, 2 N. B. N. 60, R. O. N. D. Ohio.  
 In re Sabine, 1 Am. B. R. 322, R. O. N. D. N. Y.  
 In re Kerby-Dennis Co., 2 Am. B. R. 218, J. O. E. D. Wis.  
 Sellers vs. Bell, 2 Am. B. R. 529, C. C. A. 5.  
 In re Allen, 3 Am. B. R. 38, J. O. N. D. Cal.; s. c. 96 Fed. 512.  
 In re Fielding, 3 Am. B. R. 135, J. O. W. D. Mo.; s. c. 96 Fed. 800.

In re Stotts, 93 Fed. 438, J. O. S. D. Ia.  
 In re Kerby-Dennis Co., 95 Fed. 116, C. C. A. 7.  
 In re Barber et al., 97 Fed. 547, J. O. E. Minn.  
 In re Kross, 96 Fed. 816, J. O. S. D. N. Y.

**Cl. 2** In re Tyler Banking Co., 1 N. B. N. 360, R. O. E. D. Tex.  
 In re Sabine, 1 Am. B. R. 322, R. O. N. D. N. Y.  
 In re Jefferson, 2 Am. B. R. 206, J. O. D. Ky.  
 In re Byrne, 3 Am. B. R. 268, J. O. S. D. Ia.  
 In re Kirby-Dennis Co., 95 Fed. 116, C. C. A. 7.  
 In re J. W. Harrison Mercantile Co., 95 Fed. 123, J. O. W. D. Mo.  
 In re Allen, 96 Fed. 512, N. D. Cal.  
 In re Silverman et al ; 97 Fed. 325, J. O. S. D. N. Y.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.

**Cl. 3** In re Frick, 1 N. B. N. 214, R. O. N. D. Ohio; s. c. 1 Am. B. R. 719.  
 In re Wolpert, 1 N. B. N. 239, R. O. N. D. N. Y.  
 In re Michel, 1 N. B. N. 265, R. O. E. D. Wis; s. c. 1 Am. B. R. 665.  
 In re Jefferson, 1 N. B. N. 258, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Sabine (II.), 1 N. B. N. 312, R. O. N. D. N. Y.; s. c. 1 Am. B. R. 322.  
 In re Beck, 1 N. B. N. 338, J. O. S. D. Ia.; s. c. 1 N. B. N. 564; 1 Am. B. R. 535; 92 Fed. 889.  
 In re Averill, 1 N. B. N. 544, R. O. N. D. Ohio.  
 In re Scott, 1 N. B. N. 355, J. O. N. D. Tex.; s. c. 2 Am. B. R. 324; 96 Fed. 607.  
 In re Tyler Banking Co., 1 N. B. N. 360, R. O. S. D. Ia.  
 In re Kross, 1 N. B. N. 566, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 187; 96 Fed. 816.  
 In re Harrison Co., 1 N. B. N. 382, J. O. W. D. Mo.; s. c. 2 Am. B. R. 419; 95 Fed. 123.  
 In re Smith, 1 N. B. N. 404, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 648.  
 In re Pauly, 1 N. B. N. 405, R. O. N. D. N. Y.; s. c. 2 Am. B. R. 33.  
 In re Woodard, 1 N. B. N. 430, J. O. E. D. N. C.; s. c. 2 Am. B. R. 692; 95 Fed. 955.  
 In re Silverman, 2 N. B. N. 18, J. O. S. D. N. Y.

In re Carolina Cooperage Co., 2 N. B. N. 23, J. O. E. D. N. C.; s. c. 96 Fed.  
 950; 3 Am. B. R. 154.  
 In re O'Connell, 2 N. B. N. 237, J. O. S. D. N. Y.; s. c. 98 Fed. 83.  
 In re Ghiglione, 1 Am. B. R. 580, J. O. S. D. N. Y.  
 In re Stotts, 1 Am. B. R. 641, J. O. S. D. Ia.; s. c. 93 Fed. 438.  
 In re Mitchell, 1 Am. B. R. 687, R. O. W. D. Pa.  
 In re Easley, 1 Am. B. R. 715, J. O. W. D. Va.  
 Claffin vs. Eason, 2 Am. B. R. 263, R. O. E. D. Tex.  
 In re Duncan, 2 Am. B. R. 312, R. and J. O. N. D. N. Y.  
 In re Wood, 2 Am. B. R. 695, J. O. E. D. N. C.  
 In re Grimes, 2 Am. B. R. 730, J. O. W. D. N. C.  
 In re Silverman, 3 Am. B. R. 227, J. O. S. D. N. Y.; s. c. 97 Fed. 325.  
 In re Burrus, 3 Am. B. R. 296, J. O. W. D. Wash.; s. c. 97 Fed. 926.  
 In re Kerby-Dennis Co., 95 Fed. 116, C. C. A. 7.  
 In re Alien, 96 Fed. 512, J. O. N. D. Cal.  
 In re Byrne, 97 Fed. 762, J. O. S. D. Ia.  
 In re Matthews, 97 Fed. 772, J. O. S. D. Ia.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.

**Cl. 4**

In re Rouse, 1 N. B. N. 75, C. C. A.; s. c. 1 Am. B. R. 234; 91 Fed. 96.  
 In re Gerson, 1 N. B. N. 190, R. O. E. D. Pa.; s. c. 1 Am. B. R. 251.  
 In re Rose, 1 N. B. N. 212, R. O. N. D. Ohio; s. c. 1 Am. B. R. 68.  
 In re Frick, 1 N. B. N. 214, R. O. N. D. Ohio.

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; a. c. 2 Am. B. R. 206.  
 In re Kerby-Dennis Co., 1 N. B. N. 337, J. O. E. D. Wis.; s. c. 94 Fed. 818.  
 In re Kirby-Dennis Co., 1 N. B. N. 399, C. C. A. 7; s. c. 2 Am. B. R. 402; 95 Fed. 116.  
 In re Tyler Co., 1 N. B. N. 360, R. O. E. D. Tex.  
 In re Grubbs Wiley Co., 1 N. B. N. 31, J. O. W. D. Mo.; s. c. 96 Fed. 183; 2 Am. B. R. 442.  
 In re Carolina Cooperage Co., 2 N. B. N. 23, J. O. E. D. N. C.; s. c. 96 Fed. 950.  
 In re O'Connell, 98 Fed. 83, J. O. S. D. N. Y.  
 In re Scanlon & Co., 2 N. B. N. 58, J. O. D. Pa.  
 In re Emslie, 2 N. B. N. 171, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 282; 97 Fed. 929.  
 In re Bryne, 2 N. B. N. 246, R. O. S. D. Ia.  
 In re Emalie & Co., 2 N. B. N. 324, J. O. S. D. N. Y.  
 In re Rouse, 1 Am. B. R. 231, J. O. N. D. Ill.; s. c. 91 Fed. 514.  
 In re Sabine, 1 Am. B. R. 322, R. O. N. D. N. Y.  
 In re Michel, 95 Fed. 803, J. O. E. D. Wia.  
 In re Scanlan, 97 Fed. 26, J. O. D. Ky.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.

# Cl 5.

In re Rouse, 1 N. B. N. 75, C. C. A. 7; s. c. 1 Am. B. R. 234.  
 In re Harrison Co., 1 N. B. N. 211, R. O. W. D. Mo.  
 In re Rose, 1 N. B. N. 212, R. O. N. D. Ohio; s. c. 1 Am. B. R. 68.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 1 Am. B. R. 206.  
 In re Collins, 1 N. B. N. 290, R. O. S. D. Ia.  
 In re Geraon, (II) 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Tyler Banking Co., 1 N. B. N. 360, R. O. E. D. Tex.  
 In re Goldstein, 1 N. B. N. 422, R. O. W. D. Pa.; s. c. 2 Am. B. R. 603.  
 In re Wright, 1 N. B. N. 428, J. O. D. Mass.; s. c. 2 Am. B. R. 592; 95 Fed. 807.  
 In re Sisler, 1 N. B. N. 472, J. O. W. D. Va; s. c. 96 Fed. 402.  
 In re Cronaon 1 N. B. N. 474, R. O. W. D. Pa.  
 In re Shilliday, 1 N. B. N. 475, R. O. W. D. Pa.  
 In re Fall City Co., 1 N. B. N. 565, J. O. D. Ky.  
 In re Byrne, 2 N. B. N. 246, R. & J. O. S. D. Ia.  
 In re Rouse, 1 Am. B. R. 231, J. O. N. D. Ill.; s. c. 91 Fed. 514.  
 In re Gerson, 1 Am. B. R. 251, R. O. E. D. Pa.  
 In re Sabine, 1 Am. B. R. 323, R. O. N. D. N. Y.

In re Frick, 1 Am. B. R. 719, R. O. N. D. Ohio.  
 In re Kerby-Dennis Co., 95 Fed. 116, C. C. A. 7.  
 In re Allen, 96 Fed. 512, J. O. N. D. Ky.  
 In re Higgins, 97 Fed. 775, J. O. D. Ky.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.  
 In re Falls City Shirt Mfg. Co., 98 Fed. 592, J. O. D. Ky.

**Subd. c**

**SEC. 65**

**Subd. a**

In re Sabine, (II.) 1 N. B. N. 312, R. O. N. D. N. Y ; s. c. 1 Am. B. R. 322.  
 In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662; 94 Fed. 124.  
 In re Fort Wayne Co., 1 N. B. N. 356, J. O. D. Ind.; s. c. 1 Am. B. R. 706.  
 In re Coffin, 1 N. B. N. 505, R. O. E. D. Tex.; s. c. 2 Am. B. R. 344.  
 In re Walker, 1 N. B. N. 510, J. O. E. D. N. Dak.; s. c. 3 Am. B. R. 35.  
 In re Barber, 1 N. B. N. 560, J. O. D. Minn.; s. c. 3 Am. B. R. 306; 97 Fed. 547.  
 In re Bates, 2 N. B. N. 211, R. O. D. Vt.  
 In re Gerson, 2 Am. B. R. 352, R. O. E. D. Pa.  
 In re Fielding, 3 Am. B. R. 185, J. O. W. D. Mo ; s. c. 96 Fed. 800.

**Subd. b**

In re Sabine, 1 N. B. N. 312, R. O. N. D. N. Y.  
 In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 94 Fed. 124.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.

**Subd. c**

In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662; 94 Fed. 124.  
 In re Scott, 1 N. B. N. 353, J. O. N. D. Tex.; s. c. 2 Am. B. R. 324; 96 Fed. 607.  
 In re Barber, 97 Fed. 547, J. O. D. Minn.

**Subd. d** In re Barber, 97 Fed. 547, J. O. D. Minn.

**Subd. e** In re Barber, 97 Fed. 547, J. O. D. Minn.

## SEC. 66

**Subd. a** In re Stein, 1 N. B. N. 339, J. O. D. Ind., s. c. 1 Am. B. R. 662; 94 Fed. 124.  
In re Fielding, 3 Am. B. R. 135, J. O. W. D. Mo.

**Subd. b** In re Stein, 1 N. B. N. 339, J. O. D. Ind.; s. c. 1 Am. B. R. 662; 94 Fed. 124.  
In re Fielding, 96 Fed. 800, J. O. W. D. Mo.

## SEC. 67

**Subd. a** In re Hopkins, 1 N. B. N. 71, R. O. E. D. Ala.  
In re Kletchka, 1 N. B. N. 160, J. O. S. D. N. Y.  
In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 93 Fed. 948.  
In re Smith, 1 N. B. N. 291, R. O. D. Ky.  
In re Kerby-Dennis Co., 1 N. B. N. 399, C. C. A. 7; s. c. 95 Fed. 116; 2 Am. B. R. 402.  
In re Kerby-Dennis Co., 1 N. B. N. 337, J. O. E. D. Wis; s. c. 2 Am. B. R. 218; 94 Fed. 818  
In re Yukon Woolen Co., 1 N. B. N. 420, R. & J. O. D. Conn.; s. c. 2 Am. B. R. 805.  
In re Goldstein, 1 N. B. N. 422, R. O. W. D. Pa.  
In re Leigh Bros., 1 N. B. N. 425, R. O. D. Colo.  
In re Leigh Bros., 1 N. B. N. 526, J. O. D. Colo.; s. c. 96 Fed. 806.  
In re Loud, 1 N. B. N. 502, R. O. E. D. Mich.  
In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.; s. c. 97 Fed. 188.  
In re Little River Co., 1 Am. B. R. 483, J. O. W. D. Ark.  
In re Fellerath, 2 Am. B. R. 40, J. O. N. D. Ohio; s. c. 95 Fed. 121.  
In re Smith & Dodson, 2 Am. B. R. 9, J. O. D. Ind.  
In re Wright, 2 Am. B. R. 364, J. O. N. D. Ga.; s. c. 96 Fed. 187; 1 N. B. N. 381.  
Coleman vs. Smith, 2 Am. B. R. 104, R. O. D. Ky.  
In re McLam, 3 Am. B. R. 245, J. O. D. Vt.; s. c. 97 Fed. 922.  
In re Kenney, 3 Am. B. R. 353, J. O. S. D. N. Y.; s. c. 97 Fed. 554.  
In re Legg, 96 Fed. 326, J. O. D. Conn.

**Subd. b**

In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.  
 In re Kerby-Dennis Co., 1 N. B. N. 399, C. C. A. 7.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.  
 In re Globe Cycle Works, 1 N. B. N. 364, R. O. N. D. N. Y.  
 In re Wright, 2 Am. B. R. 364, J. O. N. D. Ga.  
 In re Fellerath, 95 Fed. 121, J. O. N. D. Ohio.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.  
 In re McLam, 97 Fed. 922, J. O. D. Vt.  
 In re Burrus, 97 Fed. 926, J. O. W. D. Va.

**Subd. c****Cl. 1**

Smith vs. Meisnheimer, 1 N. B. N. 18, J. O. D. Ky. (Note.)  
 In re Hopkins, 1 N. B. N. 71, R. O. N. D. Ala.; s. c. 1 Am. B. R. 209.  
 In re Friedman, 1 N. B. N. 208, R. O. S. D. N. Y.; s. c. 1 Am. B. R. 516.  
 In re Mitchell, 1 N. B. N. 262, J. O. W. D. Pa.; s. c. 1 Am. B. R. 701.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.  
 In re Collins, 1 N. B. N. 290, R. O. S. D. Ia.; s. c. 2 Am. B. R. 1.  
 In re Arnold, 1 N. B. N. 334, J. O. D. Ky.; s. c. 2 Am. B. R.; 94 Fed. 1001.  
 In re Kerby-Dennis Co., 1 N. B. N. 337, J. O. E. D. Wis.; s. c. 2 Am. B. R. 218; 94 Fed. 818.  
 In re Kerby-Dennis Co., 1 N. B. N. 399, C. C. A. 7; s. c. 2 Am. B. R. 402; 95 Fed. 116.  
 In re Booth, 1 N. B. N. 476, J. and R. O. N. D. Ga.; s. c. 2 Am. B. R. 770.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.; s. c. 2 Am. B. R. 415.  
 In re Gutwillig, 1 N. B. N. 554, C. C. A. 2.  
 In re De Lue, 1 N. B. N. 555, J. O. D. Mass.; s. c. 1 Am. B. R. 387; 91 Fed. 510.  
 In re Webb, 2 N. B. N. 18, R. O. N. D. N. Y.  
 In re Richards, 2 N. B. N. 38, C. C. A. 7; s. c. 96 Fed. 935; 3 Am. B. R. 145.  
 In re O'Conner, 2 N. B. N. 90, J. O. E. D. N. Y.; s. c. 95 Fed. 943.  
 In re Huggins, 2 N. B. N. 115, J. O. D. Ky.; s. c. 97 Fed. 775.  
 In re Kenney, 2 N. B. N. 140, J. O. S. D. N. Y.; s. c. 95 Fed. 427.  
 In re Rhodes, 2 N. B. N. 176, R. O. W. D. Pa.  
 In re Spacht, 2 N. B. N. 238, R. O. W. D. Pa.  
 In re Emslie, 2 N. B. N. 324, J. O. S. D. N. Y.  
 In re Rhoads, 2 N. B. N. 301, J. O. W. D. Pa.  
 In re Huffman, 1 Am. B. R. 587, R. O. W. D. Pa.  
 In re Ogles, 1 Am. B. R. 671, J. O. W. D. Tenn.  
 In re Hernisch, 1 Am. B. R. 713, R. O. D. Md.  
 In re Richards, 2 Am. B. R. 506, J. O. E. D. N. C.; s. c. 94 Fed. 633.  
 Leidigh Carriage Co. vs. Stengel, 2 Am. B. R. 383 C. C. A. 6.  
 In re Allen, 3 Am. B. R. 38, J. O. N. D. Cal.  
 In re Burrus, 3 Am. B. R. 296, J. O. W. D. Va.; s. c. 97 Fed. 926.  
 In re Kletchka, 92 Fed. 901, J. O. S. D. N. Y.  
 In re Easley, 92 Fed. 419, J. O. W. D. Va.  
 In re Fellerath, 95 Fed. 121, J. O. N. D. Ohio.  
 In re McLaw, 97 Fed. 922, J. O. D. Vt.



- Cl. 2**
- In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.
  - In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.
  - In re Gutwillig, 1 N. B. N. 544, C. C. A. 2.
  - In re Mitchell, 1 N. B. N. 262, J. O. W. D. Pa.
  - In re Richard, 2 Am. B. R. 506, J. O. E. D. N. C.; s. c. 94 Fed. 633.
  - In re Richards, 3 Am. B. R. 145, C. C. A. 7; s. c. 96 Fed. 935.
  - In re Fellerath, 95 Fed. 121, J. O. N. D. Ohio.
  - In re Kerby-Dennis Co., 95 Fed. 116, C. C. A. 7.
  - In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.
  - In re McLam, 97 Fed. 922, J. O. D. Vt.
  - In re Burrus, 97 Fed. 926, J. O. W. D. Va.
  - In re Hammond, 98 Fed. 845, J. D. O. Mass.

- Cl. 3**
- In re Mitchell, 1 N. B. N. 262 J. O. W. D. Pa.
  - In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.
  - In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.
  - In re Richard, 2 Am. B. R. 506, J. O. E. D. N. C.; s. c. 94 Fed. 633.
  - In re Richards, 3 Am. B. R. 145, C. C. A. 7; s. c. 96 Fed. 635.
  - In re Fellerath, 95 Fed. 121, J. O. N. D. Ohio.
  - In re Kerby-Dennis Co., 95 Fed. 116, C. C. A. 7.
  - In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.
  - In re McLam, 97 Fed. 922, J. O. D. Vt.
  - In re Burrus, 97 Fed. 926, J. O. W. D. Va.

**Subd. d**

In re Frick, 1 N. B. N. 214, R. O. N. D. Ohio.  
 In re Easley, 1 N. B. N. 230, J. O. W. D. Va.  
 In re Mitchell, 1 N. B. N. 262, J. O. W. D. Pa.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.; s. c. 2 Am. B. R. 206.  
 In re Wright, 1 N. B. N. 381, J. O. N. D. Ga.; s. c. 96 Fed. 187.  
 In re Bozeman, 1 N. B. N. 479, R. O. S. D. Ga.; s. c. 2 Am. B. R. 809.  
 In re Barrett Pub. Co., 2 N. B. N. 80, R. O. D. Ill.  
 In re Emslie, 2 N. B. N. 324, J. O. S. D. N. Y.; s. c. 98 Fed. 716.  
 Continental National Bank vs. Katz, 1 Am. B. R. 19, Sup. Ct. Ill.; s. c. 1 N. B. N. 165.  
 Reid vs. Cross, 1 Am. B. R. 34, Sup. Ct. Ill.  
 In re Little River Co., 1 Am. B. R. 483, J. O. W. D. Ark.  
 In re Brooks, 1 Am. B. R. 531, J. O. D. Vt.  
 In re Bloomberg, 1 Am. B. R. 633, J. O. E. D. Tenn.  
 In re Holloway, 1 Am. B. R. 659, J. O. D. Ky.  
 In re Hernick, 1 Am. B. R. 713, R. O. D. Md.  
 In re Kerby-Dennis Co., 2 Am. B. R. 402, C. C. A. 7; s. c. 95 Fed. 116.  
 In re Gutwillig, 90 Fed. 475, J. O. S. D. N. Y.  
 In re Gutwillig, 92 Fed. 337, C. C. A. 2.  
 In re Fellerath, 95 Fed. 121, J. O. N. D. O.  
 In re Dunavant, 96 Fed. 542, J. O. W. D. N. C.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.  
 In re McLam, 97 Fed. 922, J. O. D. Vt.

**Subd. e**

In re Grahs, 1 N. B. N. 164, R. O. S. D. Ohio.; s. c. 1 Am. B. R. 465.  
 In re Adams, 1 N. B. N. 167, R. O. N. D. N. Y.  
 In re Jacobs, 1 N. B. N. 163, R. O. W. D. La.; s. c. 1 Am. B. R. 518.  
 In re Huffman, 1 N. B. N. 215, R. O. W. D. Pa.; s. c. 1 Am. B. R. 587.  
 In re Little River Lumber Co., 1 N. B. N. 308, J. O. W. D. Ark.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.  
 In re Leeman, 1 N. B. N. 331, R. and J. O. D. Mo.  
 In re Tierre, 1 N. B. N. 402, J. O. S. D. N. Y.; s. c. 95 Fed. 425; 2 Am. B. R. 493.  
 In re Knost & Wilhelmy, 1 N. B. N. 403, R. O. D. Ohio; s. c. 2 Am. B. R. 471.  
 Blakey vs. Boonville National Bank, 1 N. B. N. 411, J. O. D. Ind.; s. c. 2 Am. B. R. 459; 95 Fed. 267.  
 In re Leigh Bros., 1 N. B. N. 425, R. O. D. Colo.; s. c. 2 Am. B. R. 606.  
 In re Taylor, 1 N. B. N. 480, R. O. N. D. Cal.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.  
 In re Nathan, 1 N. B. N. 563, J. O. D. Nev.  
 In re Gutwillig, 1 N. B. N. 554, C. C. A. 2.; s. c. 92 Fed. 337; 1 Am. B. R. 388.

In re Cobb, 1 N. B. N. 557, J. O. E. D. N. C.; s. c. 3 Am. B. R. 123; 96 Fed. 821.  
 Schultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Gutwillig, 1 Am. B. R. 78, J. O. S. D. N. Y.; s. c. 90 Fed. 475.  
 In re Brown et al. 1 Am. B. R. 107, J. O. D. Ore; s. c. 91 Fed. 358.  
 In re Sievers, 1 Am. B. R. 117, J. O. E. D. Mo.  
 In re Empire Metallic Bedstead Co., 1 Am. B. R. 136, R. O. N. D. N. Y.  
 In re Smith, 1 Am. B. R. 266, J. O. D. Ky.  
 In re Sievers, 1 Am. B. R. 412, C. C. A. 8.  
 In re Curtis et al. 1 Am. B. R. 440, J. O. S. D. Ill.  
 In re Romanow et al. 1 Am. B. R. 461, J. O. D. Mass.  
 In re Wilcox & Wright, 1 Am. B. R. 544, R. O. D. Tenn.  
 In re Ogles, 1 Am. B. R. 671, J. O. W. D. Tenn.  
 Peck Lumber Co. vs. Mitchell, 1 Am. B. R. 701, J. O. Com. Pleas. Pa.  
 In re Woodard, 2 Am. B. R. 233, R. O. E. D. Tex.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Richards, 3 Am. B. R. 145, C. C. A. 7; s. c. 96 Fed. 935.  
 In re Taylor, 95 Fed. 956, J. O. N. D. Cal.  
 In re Fellerath, 95 Fed. 121, J. O. N. D. Ohio.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.  
 In re McLam, 97 Fed. 922, J. O. D. Vt.

**Subd. f**

In re Gutwillig, 1 N. B. N. 19, J. O. S. D. N. Y. (Note.)  
 In re Hopkins, 1 N. B. N. 71, R. O. N. D. Ala.; s. c. 1 Am. B. R. 209.  
 In re Carter, 1 N. B. N. 162, R. O. S. D. Ga.  
 In re Grahs, 1 N. B. N. 164, R. O. S. D. Ohio.  
 In re Adams, 1 N. B. N. 167, R. O. N. D. N. Y.

- In re Friedman, 1 N. B. N. 208, R. O. S. D. N. Y.; s. c. 1 Am. B. R. 510.  
 In re Easley, 1 N. B. N. 230, J. O. W. D. Va.; s. c. 93 Fed. 419.  
 In re Huffmao, 1 N. B. N. 215, R. O. W. D. Pa.; s. c. 1 Am. B. R. 587.  
 In re Mitchell, 1 N. B. N. 263, J. O. W. D. Pa.  
 In re Jefferson, 1 N. B. N. 288, J. O. D. Ky.  
 In re Collins, 1 N. B. N. 290, R. O. S. D. Ia.; s. c. 2 Am. B. R. 1.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.; s. c. 2 Am. B. R. 170.  
 In re Kerby-Dennis Co., 1 N. B. N. 337, J. O. E. D. Wis.; 2 Am. B. R. 218; ,  
 94 Fed. 818.  
 In re Kerby-Dennis Co., 1 N. B. N. 399, C. C. A. 7; s. c. 95 Fed. 116.  
 In re Kenney, 1 N. B. N. 401, J. O. S. D. N. Y.; s. c. 95 Fed. 427; 2 Am. B.  
 R. 494.  
 In re Knost & Wilhelmy, 1 N. B. N. 403, R. O. S. D. Ohio.; s. c. 2 Am. B. R.  
 471.  
 In re Globe Cycle Works, 1 N. B. N. 421, R. O. N. D. N. Y.; s. c. 2 Am. B.  
 R. 447.  
 In re Leigh Bros. 1 N. B. N. 425, R. O. D. Colo.; s. c. 2 Am. B. R. 606.  
 In re Pearson, 1 N. B. N. 474, R. O. E. D. Pa.  
 In re Valentine, 1 N. B. N. 532, J. O. N. D. Colo.; s. c. 2 Am. B. R. 188; 93  
 Fed. 953.  
 In re Booth, 1 N. B. N. 476, R. & J. O. N. D. Ga.; s. c. 2 Am. B. R. 770.  
 In re Gutwillig, 1 N. B. N. 554, C. C. A. 2.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.  
 In re Pruschen, 1 N. B. N. 526, R. O. E. D. La.  
 In re Lawrie, 2 N. B. N. 77, R. O. E. D. Wis.  
 In re O'Connor, 2 N. B. N. 90, J. O. E. D. N. Y.; s. c. 95 Fed. 943.  
 In re Emslie & Son, 2 N. B. N. 171, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 282;  
 97 Fed. 929.  
 In re Rhoads, 2 N. B. N. 176, R. O. W. D. Pa.; s. c. 98 Fed. 399.  
 In re Spacht, 2 N. B. N. 238, R. O. W. D. Pa.  
 In re Rhodes, 2 N. B. N. 301, J. O. W. D. Pa.  
 In re Shutts vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Emslie, 2 N. B. N. 324, J. O. S. D. N. Y.; s. c. 98 Fed. 716.  
 In re De Lue, 1 Am. B. R. 387, J. O. D. Mass.  
 In re Ogles. 1 Am. B. R. 671, J. O. W. D. Tenn.; s. c. 93 Fed. 426.  
 In re Hernich, 1 Am. B. R. 712, R. O. D. Md.  
 In re Franks, 2 Am. B. R. 634, J. O. S. D. Ala.; s. c. 95 Fed. 635.  
 In re Ferguson, 2 Am. B. R. 536, J. O. S. D. N. Y.; s. c. 95 Fed. 429.  
 In re Richards, 2 Am. B. R. 518, J. O. W. D. Wis.; s. c. 95 Fed. 258.  
 Leidigh Carriage Co. vs. Stengel, 2 Am. B. R. 383, C. C. A. 6.  
 In re Richards, 3 Am. B. R. 145, C. C. A. 7; s. c. 96 Fed. 935; 2 N. B. N. 38.  
 In re Dunavant, 3 Am. B. R. 41, J. O. E. D. N. C.; s. c. 96 Fed. 542.  
 In re Allen, 3 Am. B. R. 38, J. O. W. D. Cal.  
 In re Brown, 91 Fed. 358, J. O. D. Ore.  
 In re Wood, 95 Fed. 946, J. O. E. D. N. C.  
 In re Kenney, 97 Fed. 554, J. O. S. D. N. Y.; s. c. 2 N. B. N. 140.  
 In re Kimball, 97 Fed. 29, J. O. W. D. Pa.  
 In re Klein, 97 Fed. 31, J. O. N. D. Ill.  
 In re Vaughn, 97 Fed. 560, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 362; 2 N. B.  
 N. 97.  
 In re Higgins, 97 Fed. 775, J. O. D. Ky.; s. c. 3 Am. B. R. 364; 2 N.  
 B. N. 115.  
 In re McLam, 97 Fed. 922, J. O. D. Vt.  
 In re Buelow, 98 Fed. 86, J. O. D. Wash.

**Proviso.**

In re Ruppel, 2 N. B. N. 88, J. O. W. D. Pa.  
 In re Kenney, 95 Fed. 427, J. O. S. D. N. Y.  
 In re Fellerah, 95 Fed. 121, J. O. N. D. Ohio.  
 In re Kenney (II), 97 Fed. 554, J. O. S. D. N. Y.  
 In re McLam, 97 Fed. 922, J. O. D. Vt.

**SEC. 68****Subd. a**

In re Kalter, 2 N. B. N. 264, R. O. E. D. Pa.  
 In re Bingham, 2 Am. B. R. 223, J. O. D. Vt.; s. c. 94 Fed. 796.  
 In re Knost, 2 Am. B. R. 471, R. O. S. D. O.  
 In re Fort Wayne Elec. Co., 2 Am. B. R. 503, J. O. D. Ind.  
 In re Goodman Shoe Co. 3 Am. B. R. 200, J. O. E. D. Pa.

**Subd. b****Cl. 1****Cl. 2**

**SEC. 69****Subd. a**

In re Smith, 1 N. B. N. 61. (Note.)  
 In re Rockwood, 1 N. B. N. 134, J. O. N. D. Ia.; s. c. 1 Am. B. R. 272; 91 Fed. 368.  
 In re Kelly, 1 N. B. N. 240. (Note.)  
 In re Abraham, 1 N. B. N. 286, C. C. A. 5; s. c. 2 Am. B. R. 266; 93 Fed. 767.  
 In re Kerski, 1 N. B. N. 328, R. O. E. D. Wis.  
 In re Griffith, 1 N. B. N. 546, R. O. E. D. Tenn.  
 Mather vs. Coe., 1 N. B. N. 554, J. O. N. D. O.; s. c. 92 Fed. 333.  
 In re Kelly, 1 Am. B. R. 306, J. O. W. D. Tenn.; s. c. 91 Fed. 504.  
 In re Schrom, 3 Am. B. R. 352, J. O. W. D. Pa.  
 In re Buntrock Clothing Co., 92 Fed. 886, J. O. N. D. Ia.  
 In re Cohn, 98 Fed. 75, J. O. S. D. N. Y.

**SEC. 70****Subd. a****Cl. 1**

In re Daubner, 1 N. B. N. 520, J. O. D. Ore.; s. c. 3 Am. B. R. 368; 96 Fed. 805.  
 In re Rennie, 1 N. B. N. 335, R. O. D. Ind. Ter.  
 In re Sapiro, 1 N. B. N. 136, R. O. E. D. Wis.  
 In re Sapiro, 1 N. B. N. 137, J. O. E. D. Wis.; s. c. 92 Fed. 342.  
 In re Sievers, 1 N. B. N. 68, J. O. E. D. Mo.; s. c. 91 Fed. 366.  
 Carter vs. Hobbs, 1 N. B. N. 91, J. O. D. Ind.; s. c. 92 Fed. 594.  
 Davis vs. Bohle, 1 N. B. N. 216, C. C. A. 8; s. c. 92 Fed. 325.  
 In re Sisler, 1 N. B. N. 473, J. O. W. D. Va.; s. c. 2 Am. B. R. 760; 96 Fed. 402.  
 In re Ohio Co.-Op. Shoe Co., 1 N. B. N. 477, R. O. N. D. O.; s. c. 2 Am. B. R. 775.  
 In re Bozeman, 1 N. B. N. 479, R. O. S. D. Ga.; 2 Am. B. R. 809.  
 In re Taylor, 1 N. B. N. 480, R. O. N. D. Cal.  
 In re Adams, 1 N. B. N. 503, J. O. E. D. Mich.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96 Fed. 536.  
 In re Grimes, 1 N. B. N. 516, J. O. W. D. N. C.; s. c. 2 Am. B. R. 730; 96 Fed. 529.  
 In re Smith, 1 N. B. N. 532, J. O. W. D. Tex; s. c. 93 Fed. 791.  
 In re Bragg, 2 N. B. N. 82, R. O. S. D. Ala.  
 In re O'Connor, 2 N. B. N. 90, J. O. E. D. N. Y.  
 In re Mussey, 2 N. B. N. 113, R. O. D. Mass.  
 In re Schierman, 2 N. B. N. 118, R. O. E. D. Miss.  
 In re Gerdes, 2 N. B. N. 131, R. O. S. D. Ohio.  
 In re McPeck, 2 N. B. N. 172, R. O. D. Vt.  
 In re Oliver, 2 N. B. N. 212, R. O. W. D. Mo.  
 In re Schloerb, 2 N. B. N. 234, J. O. D. D. Wis.  
 In re Berner, 2 N. B. N. 268, R. O. N. D. O.  
 In re Horgan, 2 N. B. N. 53, J. O. S. D. N. Y.  
 In re Fisher, 2 N. B. N. 221, J. O. D. Mass.  
 Schultz vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Smith, 1 Am. B. R. 37, R. O. N. D. N. Y.  
 In re Camp, 1 Am. B. R. 165, J. O. N. D. Ga.  
 In re McKay, 1 Am. B. R. 292, R. O. N. D. O.

In re Powers, 1 Am. B. R. 432, R. O. D. Vt.  
 In re Buntrock, 1 Am. B. R. 454, J. O. N. D. Ia.; s. c. 92 Fed. 886.  
 In re Brooks, 1 Am. B. R. 531, J. O. D. Vt.  
 In re Garden, 1 Am. B. R. 592, J. O. N. D. Ala.; s. c. 93 Fed. 423.  
 In re Price, 1 Am. B. R. 600, J. O. S. D. N. Y.; s. c. 92 Fed. 987.  
 In re Colissi, 1 Am. B. R. 625, R. O. W. D. Mich.  
 In re Haensell, 1 Am. B. R. 286, J. O. N. D. Cal.  
 In re Brodbrine, 2 Am. B. R. 53, J. O. D. Mass.  
 In re Abraham, 2 Am. B. R. 266, C. C. A. 5; s. c. 93 Fed. 767.  
 In re Jackson, 2 Am. B. R. 501, J. O. D. Vt.  
 In re Leigh Bros., 2 Am. B. R. 606, R. O. D. Colo.  
 Sellers vs. Bell, 3 Am. B. R. 529, C. C. A. 5; s. c. 94 Fed. 801.  
 In re Tudor, 2 Am. B. R. 808, J. O. D. Colo.  
 In re Pearson, 2 Am. B. R. 819, R. O. E. D. Pa.  
 In re Bottling Works, 3 Am. B. R. 194, J. O. D. Vt.  
 In re Mussey, 3 Am. B. R. 6, J. O. D. Ore.; s. c. 96 Fed. 609.  
 Keegan vs. King, 3 Am. B. R. 79, J. O. D. Ind.  
 In re Coffman, 93 Fed. 422, J. O. N. D. Tex.  
 In re Francis-Valentine Co., 93 Fed. 953, J. O. N. D. Cal.  
 In re Francis-Valentine Co., 94 Fed. 793, C. C. A. 9.  
 In re Cobb, 96 Fed. 821, J. O. E. D. N. C.  
 In re Newberry, 97 Rep. 24, J. O. W. D. Mich.

**Cl. 2**

In re Rennie, 1 N. B. N. 335, J. O. D. Ind. Ter.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55;  
 96 Fed. 536.  
 In re Smith, 1 N. B. N. 533, J. O. S. D. Ga.  
 In re Cobb, 96 Fed. 821, J. O. D. N. C.

**Cl. 3**

In re Rennie, 1 N. B. N. 335, R. O. D. Ind. Ter.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96  
 Fed. 536.  
 Hesseltine vs. Prince, 1 N. B. N. 528, J. O. D. Mass.; s. c. 95 Fed. 802; 2 Am.  
 B. R. 600.  
 In re Fisher, 1 Am. B. R. 557, R. O. D. Mass.  
 In re Brodbrine, 2 Am. B. R. 53, J. O. D. Mass.; s. c. 93 Fed. 643.  
 In re Russie, 3 Am. B. R. 6, J. O. D. Ore.  
 In re Cobb, 96 Fed. 821, J. O. E. D. N. C.  
 In re Dunevant, 96 Fed. 542, J. O. W. D. N. C.  
 In re Crystal Spring Bottling Works, 96 Fed. 945, J. O. D. Vt.

**Cl. 4**

In re Gutwillig, 1 N. B. N. 40, J. O. S. D. N. Y.; s. c. 90 Fed. 475.  
 In re Grahbs, 1 N. B. N. 164, R. O. S. D. Ohio; s. c. 1 Am. B. R. 465.  
 In re Adams, 1 N. B. N. 167, R. O. E. D. Mich.  
 In re Kerski, 1 N. B. N. 328, R. O. E. D. Wis.; s. c. 2 Am. B. R. 79.  
 In re Rennie, 1 N. B. N. 335, R. O. D. Ind. Ter.  
 In re Leigh Bros., 1 N. B. N. 425, R. O. D. Colo.  
 In re Coffman, 1 N. B. N. 402, R. O. N. D. Tex.  
 Reese vs. Vinton, 1 N. B. N. 544, Ct. Com. Pleas, Pa.  
 In re Griffith, 1 N. B. N. 546, R. O. E. D. Tenn.  
 In re Welsh, 1 N. B. N. 533, J. O. S. D. Ohio.  
 In re Newberry, 2 N. B. N. 56, J. O. W. D. Mich.; s. c. 3 Am. B. R. 154.  
 In re Shutts vs. First National Bank, 2 N. B. N. 320, J. O. D. Ind.  
 In re Brown, 1 Am. B. R. 107, J. O. D. Ore.  
 Carter vs. Hobbs, 2 Am. B. R. 224, J. O. D. Ind.  
 In re McNamara, 2 Am. B. R. 566, R. O. S. D. N. Y.  
 In re Richards, 2 Am. B. R. 518, J. O. W. D. Wis.  
 In re Russie, 3 Am. B. R. 6, J. O. D. Ore.  
 In re Baudouine, 3 Am. B. R. 55, J. O. S. D. N. Y.; s. c. 96 Fed. 536.  
 In re Smith, 3 Am. B. R. 95, J. O. S. D. Ga.  
 In re Schlesinger, 3 Am. B. R. 342, J. O. S. D. N. Y.  
 In re Bruss-Ritter Co. 90 Fed. 651, J. O. E. D. Wis.  
 In re Cobb, 96 Fed. 821, J. O. E. D. N. C.  
 In re Dunavant, 66 Fed. 542, J. O. W. D. N. C.



**Cl. 5**

- In re Lange, 1 N. B. N. 44, R. O. N. D. Ia.; s. c. 1 Am. B. R. 186.  
 In re Lange, 1 N. B. N. 60, J. O. N. D. Ia.; s. c. Am. B. R. 189.  
 In re Gerson, 1 N. B. N. 315, R. O. E. D. Pa.; 1 s. c. 2 Am. B. R. 170.  
 In re Rennie, 1 N. B. N. 335, R. O. D. Ind. Ter.  
 In re Harris, 1 N. B. N. 384, R. O. N. D. Ill.; s. c. 2 Am. B. R. 359.  
 In re Clute, 1 N. B. N. 385, Sup. Ct. Cal.; s. c. 2 Am. B. R. 376.  
 In re Yukon Woolen Co. 1 N. B. N. 420, R. & J. O. D. Conn.; s. c. 2 Am. B. R. 805.  
 In re Leigh Bros. 1 N. B. N. 425, J. O. D. Colo.  
 In re Taylor, 1 N. B. N. 480, R. O. N. D. Cal.  
 In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 3 Am. B. R. 55; 96 Fed. 536.  
 In re Coffin, 1 N. B. N. 507, R. O. E. D. Tex.; s. c. 2 Am. B. R. 144.  
 Hesseltine vs. Prince, 1 N. B. N. 528, J. O. D. Mass; s. c. 95 Fed. 802.  
 In re Eastman, 2 N. B. N. 86, R. O. D. Va.  
 In re Becker, 2 N. B. N. 241, R. O. E. D. Pa.  
 In re Becker, 2 N. B. N. 245, J. O. E. D. Pa.  
 In re Coffman, 1 Am. B. R. 530, J. O. N. D. Tex.  
 In re Fisher, 1 Am. B. R. 557, R. O. D. Mass.  
 In re Hernich, 1 Am. B. R. 713, R. O. D. Md.  
 In re Smith, 2 Am. B. R. 190, J. O. W. D. Tex.  
 In re Russie, 3 Am. B. R. 6, J. O. D. Ore.  
 In re Legge, 96 Fed. 326, J. O. D. Conn.  
 In re Daubner, 96 Fed. 805, J. O. D. Ore.  
 In re Cobb, 96 Fed. 821, J. O. E. D. N. C.  
 In re Hammond, 98 Fed. 845, J. O. D. Mass.

**Proviso.**

In re Steele Co., 2 N. B. N. 231, J. O. S. D. Ia.  
 In re Weil & Co. 2 N. B. N. 292, R. O. D. Utah.  
 In re Diack, 2 N. B. N. 354, R. O. S. D. N. Y.  
 In re Lange, 91 Fed. 361, J. O. N. D. Ia.  
 In re Steele, 98 Fed. 78, J. O. S. D. Ia.

**Cl. 6**

In re Baudouine, 1 N. B. N. 506, J. O. S. D. N. Y.; s. c. 97 Fed. 536.  
 In re Grimes, 1 N. B. N. 516, R. O. N. D. N. C.  
 In re Haensell, 1 Am. B. R. 286, J. O. N. D. Cal.; s. c. 91 Fed. 355.  
 In re Cobb, 96 Fed. 231, J. O. E. D. N. Y.

**Subd. b**

In re Etheridge Furniture Co., 1 N. B. N. 139, J. O. D. Ky.  
 In re Grimes, 1 N. B. N. 516, J. O. N. D. N. C.; s. c. 96 Fed. 529; 2 Am. B. R. 730.  
 In re Thompson, 2 Am. B. R. 216, R. O. W. D. Pa.  
 In re Ohio Co-operative Co., 2 Am. B. R. 775, R. O. N. D. Ohio.  
 Southern Loan & Trust Co. vs. Benbow, 3 Am. B. R. 9, J. O. N. D. N. C.  
 In re Sanborn, 3 Am. B. R. 54, J. O. D. Vt.  
 In re Worland, 92 Fed. 893, J. O. N. D. Ia.  
 In re Pittelkow, 92 Fed. 901 J. O. E. D. Wis.

**Subd. c**

**Subd. d** In re Rider, 1 N. B. N. 483, R. O. N. D. N. Y.

**Subd. e**

In re Grahs, 1 N. B. N. 164, R. O. N. D. Ohio.  
 In re Adams, 1 N. B. N. 167, R. O. N. D. N. Y.  
 In re Buntrock Clothing Co., 1 N. B. N. 228, J. O. N. D. Ia.  
 In re Knost, 1 N. B. N. 403, R. O. S. D. Ohio; s. c. 2 Am. B. R. 471.  
 In re Nunn, 1 N. B. N. 427, R. O. S. D. Ga.; s. c. 2 Am. B. R. 664.  
 In re Taylor, 1 N. B. N. 513, J. O. D. Ind.  
 Robinson vs. White, 1 N. B. N. 513, J. O. D. Ind.  
 In re Leigh Bros., 1 N. B. N. 526, J. O. D. Col.; s. c. 96 Fed. 806.  
 In re Griffith, 1 N. B. N. 546, R. O. E. D. Tenn.  
 In re Francis-Valentine Co., 2 Am. B. R. 522, C. C. A. 9.  
 In re Leigh Bros., 2 Am. B. R. 606, R. O. D. Colo.  
 In re Baudouine, 3 Am. B. R. 55, J. O. S. D. N. Y.  
 In re Gutwillig, 90 Fed. 475, J. O. S. D. N. Y.

**Subd. f** In re Rider, 1 N. B. N. 483, R. O. N. D. N. Y.

## **SEC. 71**

**Subd. a** Parmenter vs. Hamilton, 1 N. B. N. 8, Sup. Ct. Mass.; s. c. 1 Am. B. R. 39.  
 Snyder vs. Simon, 1 N. B. N. 12.  
 In re Bruss-Ritter Co., 1 N. B. N. 39, J. O. E. D. Wis.; s. c. 1 Am. B. R. 58.  
 Devlin vs. Hill, 1 N. B. N. 41, J. O. D. Minn.  
 Cruthers vs. Curtis, 118 B. N. 41, J. O. S. D. Ill.; s. c. 1 Am. B. R. 440.  
 In re McKay, 1 N. B. N. 133, R. O. N. D. Ohio.  
 In re Adams, 2 Am. B. R. 94, R. O. N. D. N. Y.  
 In re Etheridge Co., 1 Am. B. R. 112, J. O. D. Ky.  
 In re Sievers, 1 Am. B. R. 117, J. O. E. D. Mo.  
 In re McKee, 1 Am. B. R. 311, Co. Ct. Ky.  
 In re Meyers, 1 Am. B. R. 347, R. O. N. D. N. Y.  
 In re Rennie, 2 Am. B. R. 182, R. O. D. Ind. Ter.

**Proviso.** In re Buelow, 2 N. B. N. 230, J. O. D. Wash.  
 Leideigh Carriage Co. vs. Stengel, 2 Am. B. R. 383, C. C. A. 6.  
 Blake vs. Francis, 89 Fed. 691, J. O. N. D. Cal.  
 In re Bruss-Bitter Co., 90 Fed. 651, J. O. E. D. Wis.  
 In re Gutwillig, 90 Fed. 475, J. O. S. D. N. Y.  
 In re Brown, 91 Fed. 358, J. O. D. Ore.

**Subd. b** In re Sievers, 1 N. B. N. 63, J. O. E. D. Mo.; s. c. 91 Fed. 366.  
 Parmenter vs. Hamilton, 1 Am. B. R. 39, Sup. Ct. Mass.  
 In re Bruss-Ritter Co. 1 Am. B. R. 58, J. O. E. D. Wis.  
 In re Meyers 1 Am. B. R. 347, R. O. N. D. N. Y.  
 Blake vs. Francis Valentine, 1 Am. B. R. 372, J. O. N. D. Cal.  
 State ex rel Strohl vs. Judges, 2 Am. B. R. 92 Sup. Ct. Wash.  
 Dean vs. Justices, 2 Am. B. R. 163, Sup. Ct. Mass.  
 Leidigh Carriage Co. vs. Stengel, 2 Am. B. R. 363, C. C. A. 6.  
 In re Wright, 2 Am. B. R. 592, J. O. D. Mass.  
 McCollough vs. Goodheart, 3 Am. B. R. 85, Co. Pleas, Pa.  
 In re Curtis, 91 Fed. 737, J. O. S. D. Ill.  
 In re Smith, 92 Fed. 135, J. O. D. Ind.  
 In re Etheridge Furniture Co., 92 Fed. 329, J. O. D. Ky.













